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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JASON KANDER
SECRETARY OF STATE

MISSOURI REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted printed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights, *[and] Measures and Consumer Protection* Chapter 1—Organization and Description

PROPOSED AMENDMENT

2 CSR 90-1.010 General Organization. Pursuant to HB28 The Land Survey Program was moved from Department of Natural Resources to Department of Agriculture in August 2013. This division is amending the division title, purpose, sections (1) and (2), deleting section (3), and adding a new section (3).

PURPOSE: This amended rule adds the Land Survey Program, formerly residing in the Missouri Department of Natural Resources, to the division's general organization and description. The rule is deleting old section (3) because the division no longer uses many paper forms.

PURPOSE: This rule complies with section 536.023, RSMo [(1986)] which requires each agency to adopt as a rule a description of its operation and the method where the public may obtain information or make submissions or requests.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The Division of Weights, *[and] Measures and Consumer Protection* is a unit of the Department of Agriculture, state of Missouri. The primary responsibility of this division is to maintain equity in the marketplace. This is accomplished by assuring the accuracy of weighing and measuring devices which are used commercially; monitoring the weighing and measuring practices of buyers and sellers alike to assure accuracy and fair dealing in the exchange of goods and services; establishing requirements for methods and tolerances for moisture-measuring devices; inspecting eggs to insure they meet proper grade standards for quality and size; prohibiting milk sales practices that unfairly divert trade from a competitor; establishing safety standards for handling and use of anhydrous ammonia, liquefied petroleum gases, and petroleum products; *[and]* establishing quality standards for motor fuel~~./~~; **to restore, maintain, and preserve locations of the corners set by the original surveys of the United States public land surveys and their subsequent extensions along with all pertinent field notes, plats, and documents; to establish and maintain a record storage and retrieval system for all land survey records in this state; to extend geodetic control surveys to permit general use of the Missouri State Coordinate System; and to prescribe and disseminate regulations to assist in uniform and professional surveying methods and standards.** The division consists of *[four (4)]* **five (5)** programs to carry out these duties—Metrology Laboratory, Scale/Egg/Milk Program, Petroleum/Propane/Anhydrous Ammonia Program, *[and]* Grain Moisture Meter Program **and The Land Survey Program.**

(2) The address of the division is 1616 Missouri Boulevard, P~~./~~JO~~./~~ Box 630, Jefferson City, MO 65102.

[(3) The Division of Weights and Measures utilizes the following forms in the course of inspection, laboratory testing and licensing duties: Application for Egg License; Egg Program Stop Sale Form; Egg/Milk Products Inspection Report; Milk Products Distributor License Application; Milk Products Distributor Questionnaire; Milk Products Distributor's Worksheet; Milk Products Processor License Application; Milk Products Processor's Worksheet; Fuel Quality Complaint/Violation Form; Official Motor Fuel Quality Inspection; Official Motor Fuel Quality Inspection— Follow Up Report; Petroleum Laboratory—Alcohol Test; Petroleum Laboratory—API Gravity; Petroleum Laboratory— Calculate Cetane Index; Petroleum Laboratory—Flash Point Test; Petroleum Laboratory—Lead in Unleaded Gasoline Test; Petroleum Laboratory—Reid Vapor Pressure; Petroleum Laboratory—Saybolt Color; Petroleum Laboratory— Water and Sediment Test; Petroleum Laboratory—Water Tolerance Test; Alcohol Detection Test Report; Distillation Test Report Form; Octane Run Sheet, Octane Test Report; Toluene Standardization Report; Stop Sale Notice; Fuel Quality Program—Stop Sale Tag; Refined Fuels Broken Seal Report; Refined Fuels Truck and Meter Test Report; Refined Fuels

Truck and Meter Correction; Terminal Meter Calibration Report—A; Terminal Meter Calibration Report—B; Terminal Test Conclusions; Serviceman Registration Application for Installation and Service of Weighing and Measuring Devices; Refined Fuels Serviceman Registration Card; Refined Fuels Rejection Tag; Service Station Broken Seal Report; Gas Pump Inspection Form; Pump Correction Form; LPG Rejection Tag; LPG Broken Seal Report; Mobile Home Safety Inspection Form; LP Gas/Anhydrous Ammonia Inspection Form; Application For LP Gas System Installation; Official Accident Inspection Form; Official Inspection For Bulk Storage Plant, Industrial Consumer Plant, Bottled Gas Filling Facility and Commercial System with Large Storage; Gas Dispensing Devices Registration Application; Registration Application Form—Installers and Services; Registration Application Form—Bulk Storage Plant Operators and General LP Gas Sales and Service Business; Registration Application Form—LP Gas Transporter; LP Gas Inspection Authority Registration Certificate; Official School Bus Inspection—LPG Carburetion System; LP Gas System Annual Pressure Test Report; LP Gas Inspection Authority—Statement for Money Due; LP Gas Meter Testing Money Report; LPG Truck and Meter Test Report; LPG Motor Fuel Conversion Report for Official Decal; Scale Reject Tag; Scale Inspection Report/Fee Invoice; Scale Test Report; Livestock Scale Test Report; Hopper Scale Test Report; Weekly Activity Report—Scales, Milk and Eggs; Weekly Activity Report; Placing in Service and/or Report of Scale Sale; Package Checking Report; Random Pack Report; Stop Sale/Use Order; Taximeter Test Report; Worksheet for Packages Labeled by Liquid Volume; Inter-Office Report; General Inspection Report/Request; Servicemen Registration Card; Recording Sheet For Weights Tolerance Testing; Recording Sheet for Weighing—Transportation, Substitution and Tolerance Testing; Metrology Calibration Statement; Certificate of Test—Volumetric Standards; Certificate of Test—Field Standards; Certificate of Test—Test Weights—Class S; Certificate of Test—Test Weights—Class F; Certificate of Test—Linear Measures; Certificate of Test—Tuning Forks; Moisture Meter Registration; Moisture-Measuring Device Registration Certificate; Moisture Meter Field Test Report; Moisture Meter Work Sheet; Moisture Meter Placing in Service Report; Weekly Activity Report—Moisture Meter Program; Laboratory Oven Test and Meter Comparison Form; Moisture Meter Daily Adjustment Sheet; Moisture Meter Inspectors Intercomparison Report; Moisture Meter Laboratory Meters Report; and Moisture Meter Program— Laboratory Oven Test and Meter Comparison.]

(3) The address of the Land Survey Program is 1251A Gale Drive, PO Box 937, Rolla, MO 65402-0937. Telephone (573) 368-2300.

AUTHORITY: section 536.023, RSMo [1986] 2016. This rule was previously filed as 2 CSR 40-1.010. Original rule filed April 9, 1976, effective July 15, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and

Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE

Division 90—Weights, Measures and Consumer Protection

Chapter 60—Missouri Standards for Property Boundary Surveys

PROPOSED RULE

2 CSR 90-60.010 Application of Standards

PURPOSE: These standards provide the professional land surveyor and recipient of boundary surveys with a realistic guideline for adequate survey performance. This rule describes the types of surveys to which these standards apply.

The standards in this chapter apply to all property boundary surveys made for determining the location of land boundaries and land boundary corners, but do not apply to preliminary plats or plans, plot plans, design surveys, geodetic surveys, or cartographic surveys. Any individual or corporation licensed with the board to perform land surveying services in this state shall be familiar with and comply with these standards. The Missouri Standards for Property Boundary Surveys are not intended to be used in place of professional land surveying judgment. There may be special circumstances and conditions that make it impractical to comply with some provisions of the standards. If the survey deviates from these standards, this deviation shall be noted, described, and justified on the plat of survey by the professional land surveyor. This provision cannot be used to intentionally circumvent the basic tenets of these standards.

AUTHORITY: sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.010. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 60—Missouri Standards for Property Boundary
Surveys

PROPOSED RULE

2 CSR 90-60.020 Definitions

PURPOSE: This rule defines the various technical and legal terms used in this chapter.

(1) Condominium Survey—A property boundary survey that creates and defines condominium property in accordance with Chapter 448, RSMo.

(2) Controlling Corners—Those corners that determine the location of the exterior corners of the surveyed boundary.

(3) Exterior Corners—Corners that define the shape and size of the parcel.

(4) Material Variations—The differences between surveyed lines and lines of possession or measurements called for in the record source of the property being surveyed that are, in the professional judgment of the professional land surveyor, significant enough to warrant particular notice.

(5) Original Survey—A survey which creates a new parcel, or parcels, out of a larger parent tract.

(6) Physical Monument—Natural or artificial objects which are accepted and used to mark boundaries and corners.

(7) Positional Uncertainty—The positive and negative range of values expected for a computed horizontal position as a result of random errors.

(8) Property Boundary Survey—Any survey that creates, defines, marks, remarks, retraces, or reestablishes the boundaries of parcels of real property or the subdivision of lands.

(9) Property Description—A description of the limits of real property by recitation of metes and bounds or by an aliquot part of the United States Public Land Survey System or by lot or parcel designation referenced to a subdivision, survey, or other document recorded in the public records.

(10) Random Errors—Unavoidable errors in measurement that are caused by the inability of the operator to make exact measurements. (Random errors generally follow statistical principles and can be reduced with care in measurement, but can never be completely eliminated).

(11) Record Title Boundaries—The limits of real property ownership as evidenced and provable by one (1) or more written means of real property transfer and having provided constructive notification by being duly entered into the public records.

(12) Rural Property—Any property that is not urban property.

(13) Subdivision—A property boundary survey that partitions land into two (2) or more parcels by platting the divisions of land in accordance with Chapter 445, RSMo.

(14) Systematic Errors—Errors in measurement that conform to mathematical and physical laws and remain the same under set

conditions. Systematic errors are detectable and can be removed by ensuring the proper adjustment of equipment, by applying appropriate corrections to observations and by using appropriate observation techniques to eliminate the effects of imperfection in equipment manufacture.

(15) United States Public Land Survey Corners—Those points that determine the boundaries of the various subdivisions of the United States Public Land Survey as set forth in section 60.301(1), RSMo.

(16) Urban Property—Any property that is located wholly or partly within the corporate limits of any municipality or any commercial, industrial, or multi-unit developmental property.

AUTHORITY: sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.020. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 60—Missouri Standards for Property Boundary
Surveys

PROPOSED RULE

2 CSR 90-60.030 General Land Surveying Requirements

PURPOSE: This rule sets forth standards that apply to all property boundary surveys.

(1) Records Research.

(A) Every survey executed shall be based on the property description of the parcel or parent tract taken from the public records; and

(B) Prior to performing the fieldwork, the professional land surveyor shall acquire sufficient data to ascertain the record title boundary of the parcel(s) to be surveyed (such as: adjoining deeds, maps, right of way plans, subdivision plats, original plats and notes, and subsequent surveys). This requirement does not obligate the professional land surveyor to search the entire chain of title.

(2) Field Investigation. The professional land surveyor or a person under his/her direct personal supervision shall—

(A) Search thoroughly for monuments and accessories at the necessary controlling corners and any other physical evidence that may be required to define the location of the exterior corners of the parcel surveyed (such as: location of streets, roads, lines of occupation, and

parole information);

(B) Obtain appropriate and sufficiently redundant measurements to correlate all found evidence;

(C) Evaluate the reliability of the evidence and monuments found and apply the proper theory of location in accordance with surveying precedent; and

(D) Reach a conclusion on the location of the boundary and set monuments as defined herein.

(3) Monumentation.

(A) The professional land surveyor shall establish semi-permanent or confirm existing monuments at every exterior corner of the tract being surveyed, except for lines running along streams or lakes where witness monuments must be set along the connected sidelines. When it is impractical to set a monument at a required corner, a witness monument shall be set along a line of the survey or the prolongation thereof;

(B) Existing monuments shall be evaluated for permanency by the professional land surveyor. Those needing restoration, preservation, or replacement shall receive the due care necessary to ensure that their permanency is secured in accordance with the requirements set forth herein;

(C) Additional Monumentation for Subdivision Surveys.

1. In addition to meeting the requirements set forth above, the professional land surveyor shall, prior to the recording of the subdivision plat, establish at least two (2) permanent monuments for every four (4) acres of land developed by the subdivision. This requirement is waived if the survey does not create more than four (4) lots or parcels.

2. The permanent monuments required in paragraph (3)(C)1. shall be set prior to the recording of the plat or if likely to be destroyed by construction, may be installed upon completion of the construction and must be set no later than twelve (12) months after the recording of the plat. The professional land surveyor shall also monument all lot corners in the subdivision with semi-permanent or witness monuments within the same twelve- (12-) month period.

3. When the subdivision is a cemetery, the requirements of subparagraph (3)(C)1. for installation of permanent monuments shall be increased to include four (4) permanent monuments per block and the monumentation of all lot corners required in paragraph (3)(C)2. shall not be required; and

(D) Condominium surveys shall meet the requirements for subdivisions.

(4) Publication of Results: A plat shall be made showing the results of the survey or subdivision and shall conform to all of the following provisions:

(A) The plat shall include a drawing that shall be made to a convenient scale on a reasonably permanent and dimensionally stable material;

(B) The plat shall include the name of the person or entity for whom the survey was made and the date of the survey;

(C) Lettering shall be no less than eight-hundredths of an inch (0.08") in height. All characters shall be open, well-rounded, and of uniform width;

(D) The direction of boundary lines shall be shown by angles, azimuths, or bearings with the directional reference system clearly described on the plat;

(E) A north arrow, a written scale, and a graphic scale shall be shown on every sheet containing graphic survey data;

(F) Complete dimensions (distances, directions, and curve data) of all parcels surveyed or created. All linear measurements shall be shown as horizontal distances at the ground surface in feet or meters. Curved lines shall show at least two (2) elements. For non-tangential curves, a directional component shall be included to help define the direction of the curve (preferably the chord bearing);

(G) All vertical measurements shall be shown as elevations above an established or assumed datum in feet or meters. When elevations

are shown, a clearly defined elevation datum shall be shown, including the location and elevation of the benchmark used to establish the project datum;

(H) Measurements and calculated areas will be shown on the plat to a number of significant figures representative of the actual precision of the measurements;

(I) The plat shall display either a property description for the parcel(s) and/or parent tract surveyed or a reference to the source document from which the property description was taken. Any new parcel created by survey shall have its property description shown on the plat and must be complete enough so that the parcel can be located and clearly identified. Subdivision plats shall identify all lots for sale by numbers, as set forth in section 445.010, RSMo;

(J) The plat shall show sufficient data (distances and directions) to positively locate the parcel surveyed within the United States Public Land Survey System (USPLSS), or within the recorded subdivision. If the survey cannot be located by either of the previously mentioned provisions, it must be referenced to other lines and points sufficiently established by record;

(K) All controlling corner monuments that were found and exterior corners that were found or set shall be identified on the plat;

(L) Any material variation between record and measured dimensions; and any material variation and the extent of such variation between surveyed lines and lines of possession at all exterior corners shall be shown on the plat. Material variation will include, but is not limited to, survey monuments, fences, obvious occupation (i.e., mowed) lines, walls, or other structures whether on the property surveyed or on adjacent property;

(M) The plat shall reference the source document(s) for any pertinent data obtained during the records research provision set forth above. The plat shall also reference the property type (Urban or Rural);

(N) The identity of the record title documents for adjoining properties, consistent with the records research provision set forth above, shall be shown on the plat, including their record source;

(O) In addition to the above, all condominium surveys shall show the pertinent information required in section 448.2-109, RSMo, and the legally sufficient descriptions of easements serving or burdening the condominium; and

(P) The plat shall include a statement that the survey and or subdivision were executed in accordance with the Missouri Standards for Property Boundary Surveys as set forth herein. The statement on a condominium plat shall also include a declaration that the plat contains all information required by section 448.2-109, RSMo.

(5) Deliverables. The professional land surveyor shall furnish to the client a plat containing the drawing and other pertinent information identified above. Each sheet of the plat shall bear the signature and seal of the professional land surveyor in responsible charge. This signed and sealed plat shall be the official plat and shall take precedence over any other formatted data that may be delivered to the client or his/her representatives, successors, or assigns.

AUTHORITY: sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.030. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer

Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection**

**Chapter 60—Missouri Standards for Property Boundary
Surveys**

PROPOSED RULE

**2 CSR 90-60.040 Accuracy Standards for Property Boundary
Surveys**

PURPOSE: This rule sets forth the accuracy standards for all property boundary surveys.

(1) The professional land surveyor shall make an effort to detect and remove systematic errors.

(2) Precision Requirements for Urban Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed fifty parts per million (50ppm) or one tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma); and

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed fifty parts per million (50ppm) or one tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

(3) Precision Requirements for Rural Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed one hundred parts per million (100ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma); and

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed one hundred parts per million (100ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

AUTHORITY: sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.040. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes,

Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection**

**Chapter 60—Missouri Standards for Property Boundary
Surveys**

PROPOSED RULE

2 CSR 90-60.050 Use of Missouri Coordinate System of 1983

PURPOSE: This rule sets forth the requirements for referencing land boundary corners to the Missouri Coordinate System of 1983.

(1) When the professional land surveyor is specifically requested or required to reference land boundary corners to the Missouri Coordinate System of 1983, the professional land surveyor shall comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 20 CSR 2030-18.020) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards for property boundary surveys set forth in this chapter; and

(C) The plat or other publication of results shall identify the geodetic control station(s) that were used to determine the position of the corner(s), along with a list of the coordinates of those control station(s); the appropriate adjustment date or realization designation on the North American Datum of 1983, along with the epoch date when applicable; a brief statement of the method used to obtain those positions; and the grid factor used.

AUTHORITY: sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.050. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection**

**Chapter 60—Missouri Standards for Property Boundary
Surveys**

PROPOSED RULE

2 CSR 90-60.060 Approved Monumentation

PURPOSE: *This rule prescribes the approved type of monumentation to be used on property boundary surveys.*

(1) The professional land surveyor shall select a type of monument providing a degree of permanency consistent with that of the adjacent terrain and physical features and as required by these standards. All monuments shall be solid and free from movement. They shall be set in the ground at least to the depth of the length given unless they are encased in concrete. With the exception of drill holes and cut crosses, the precise position of the corner shall be marked by a point on a cap and the cap shall be inscribed with the licensure number of the professional land surveyor in responsible charge or the corporate licensure number or name of the company.

(2) Permanent monuments shall be selected from the following:

(A) Concrete monuments consisting of reinforced concrete at least four inches (4") square or in diameter and no less than twenty-four inches (24") in length with its precise position marked by a point on a brass or aluminum cap not less than one and one-half inch (1 1/2") in diameter;

(B) Commercial cast iron or aluminum survey markers no less than twenty-four inches (24") in length. Nonferrous markers shall have ceramic magnets attached to aid in recovery;

(C) Steel, coated steel, or aluminum rod markers not less than five-eighths inch (5/8") in diameter, iron pipe markers not less than three-quarter inch (3/4") inside diameter and not less than twenty-four inches (24") in length. These monuments shall have a permanently attached cap of the same metal or of a dissimilar metal if the metals are insulated with a plastic insert to reduce corrosion. Nonferrous rod markers shall have ceramic magnets attached to aid in recovery; and

(D) Brass or aluminum disks not less than two inches (2") in diameter, countersunk and well-cemented in a drill hole in either solid rock or concrete. Ceramic magnets shall be attached or installed with the disk to aid in recovery.

(3) Semi-permanent monuments shall be selected from the following:

(A) Iron pipe markers not less than three-fourths inch (3/4") outside one half inch (1/2") inside diameter, at least eighteen inches (18") in length, and having a plastic or metal cap;

(B) Steel or aluminum rod markers not less than one-half inch (1/2") in diameter, and not less than eighteen inches (18") in length, and having a plastic or aluminum cap;

(C) A cross-cut or drill hole in concrete, brick, stone paving, or bedrock at the precise position of the corner or on a prolongation of a boundary line; and

(D) In asphalt paving, cotton picker spindles, railroad spikes (center punched or chiseled cross), semi-permanent half-inch (1/2") rebar, and magnetic spikes (minimum of 8" in length) that are solid and not easily removed or destroyed.

AUTHORITY: *sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.060. Original rule filed Dec. 1, 2016.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights,*

Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights, Measures and Consumer Protection

Chapter 60—Missouri Standards for Property Boundary Surveys

PROPOSED RULE

2 CSR 90-60.070 Location of Improvements and Easements

PURPOSE: *This rule sets forth how and what improvements and easements are to be located and shown on a property boundary survey.*

(1) When the professional land surveyor is specifically requested by the client to locate the improvements on the property surveyed, the professional land surveyor shall locate by measurement all permanent structures having fixed foundation, slabs, or footings and shall reference them to the property boundary on the plat with a minimum of three (3) dimensions. Dimensions shall be parallel, perpendicular, or radial to the property lines.

(2) When the professional land surveyor is specifically requested by the client to show easements on a property boundary survey, he/she shall show by graphic representation all easements appearing on the recorded subdivision plat and all easements provided to the professional land surveyor by the client. If the professional land surveyor is specifically requested by the client to locate any easements on the ground, he/she will do so in accordance with the standards defined herein.

AUTHORITY: *sections 60.510(7), 60.550, and 448.2-109, RSMo 2016. Material in this rule was originally covered in 10 CSR 30-2.110. Original rule filed Dec. 1, 2016.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights, Measures and Consumer Protection

Chapter 65—Cadastral Mapping Survey Standards

PROPOSED RULE

2 CSR 90-65.010 Application of Standards

PURPOSE: These minimum standards provide the digital mapper and recipient of digital cadastral parcel mapping products, a realistic guideline for the product delivered. This rule describes the digital cadastral mapping system components to which these minimum standards apply. Pursuant to HB28 the Land Survey Program was moved from Department of Natural Resources to Department of Agriculture in August 2013.

The minimum standards in this chapter apply to digital cadastral mapping as it relates to the location of the United States Public Land Survey System. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system shall comply with these rules unless otherwise specified in writing. It is not the intention that these minimum standards address the particular requirements of assessment mapping included in the rule-making authority of the Missouri State Tax Commission. The intention is to work in conjunction with commission authority.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 65—Cadastral Mapping Survey Standards**

PROPOSED RULE

2 CSR 90-65.020 Organization and Description

PURPOSE: This rule describes the scope, mission, and goals of the Cadastral Mapping Survey Standards.

(1) Scope—This standard describes digital cadastral mapping system components, content, design, and creation.

(2) Mission—To provide a standard for the definition and structure of digital cadastral data in order to facilitate data compatibility, and to protect and enhance the investments in digital cadastral data at all levels of government and the private sector.

(3) Goals—

(A) To provide common definitions for cadastral information found in public records, used to create the digital cadastre;

(B) To resolve discrepancies related to the use of homonyms and synonyms in land record systems, to minimize duplication within and among those systems;

(C) To provide guidance and direction for land records, mapping,

and land surveying professionals on standardized attribute values and definitions, to improve land records creation, management; and

(D) To use participatory involvement in the standard development to reach out to organizations to encourage broadly based application of the standard.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 65—Cadastral Mapping Survey Standards**

PROPOSED RULE

2 CSR 90-65.030 Definitions

PURPOSE: This rule defines the terms as used in this standard.

(1) Cadastral Data—Source information used to delineate the geographic extent, quantity, and dimensions of cadastral parcels. Source information includes the United States Public Land Survey System (PLSS), subdivision plats, land surveys, real estate conveyances, right-of-way plans, etc.

(2) Cadastral Parcel Mapping—The delineated identification of all real property parcels. The cadastral map is based upon the United States Public Land Survey System (PLSS). For cadastral parcel maps the position of the legal framework is derived from the PLSS, existing tax maps, and tax database property descriptions, recorded deeds, recorded surveys, and recorded subdivision plats.

(3) Digital Cadastral Parcel Mapping—Encompasses the concepts of automated mapping, graphic display and output, data analysis, and database management as pertains to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of hardware, software, data, people, organizations, and institutional arrangements for collecting, storing, analyzing, and disseminating information about the location and areas of parcels and the United States Public Land Survey System.

(4) Digital Section Vertices—The points on a digital cadastral map that define the PLSS lines and corners.

(5) Metadata—Information that describes specific details about a dataset. Metadata for geographic information may include the source of the data, its creation date and format, its projection scale, resolution, and accuracy.

(6) Metes and Bounds—Describe the limits of a land parcel by reference to courses and distances around a tract and by reference to natural and artificial monuments of record.

(7) Missouri State Plane Coordinate System—The system of plane coordinates that have been established by the National Oceanic Survey/National Geodetic Survey, or its successors, for defining and stating the geodetic positions or locations of points on the surface of the earth within the state of Missouri as defined in sections 60.401 through 60.491, RSMo.

(8) Parcel—A single unit of real property which can be described by location and boundaries and for which there is a history of defined, legally recognized interests. Parcel boundaries are usually described in a conveyance document by aliquot part, metes and bounds, or by lot number in a recorded subdivision.

(9) Point—A vector map feature having no length and no area, but is simply defined by a coordinate location.

(10) Polygon—A vector map feature represented by a closed geometric figure.

(11) Polyline—A vector map feature formed by connecting two (2) points and having no area.

(12) Tax Map—A document or map for taxation purposes showing the location, quantity, dimensions, and other relevant information pertaining to a parcel of land subject to *ad valorem* taxes, commonly known as property taxes.

(13) Topology—The spatial relationships between connecting, or adjacent, geographic features. Topological relationships are for spatial modeling operations that do not require coordinate information.

(14) United States Public Land Survey System (PLSS)—The rectangular survey system created by the United States Government founded on a principal meridian and base line and forming townships approximately six (6) miles north and south by six (6) miles east and west, which are subdivided into thirty-six (36) sections approximately one (1) mile square. The system, established by surveys executed under the direction of the General Land Office (GLO), and evidenced by township plats, field notes, and other available documentation. This system includes nonconforming private claims and other surveys as may have been performed under the direction of the General Land Office. The Fifth Principal Meridian is the basis of the Missouri PLSS.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights, Measures and Consumer Protection Chapter 65—Cadastral Mapping Survey Standards

PROPOSED RULE

2 CSR 90-65.040 Coordinate System for Digital Cadastral Parcel Mapping Specified

PURPOSE: This rule specifies the coordinate system utilized for digital cadastral parcel mapping in Missouri.

(1) The Missouri State Plane Coordinate System shall be the coordinate system used for digital cadastral parcel mapping in Missouri.

(2) To convert metric mapping coordinates, if desired, to U.S. Survey Feet, use the conversion of 1 meter equals 3.28083333 feet, where 1 meter equals 39.37 inches exactly.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights, Measures and Consumer Protection Chapter 65—Cadastral Mapping Survey Standards

PROPOSED RULE

2 CSR 90-65.050 Digital Cadastral Parcel Mapping Requirements Pertaining to the United States Public Land Survey System

PURPOSE: This rule describes the minimum standard requirements that apply to the United States Public Land Survey System in a digital cadastral parcel mapping system.

(1) The United States Public Land Survey System (PLSS) shall be the foundation for digital cadastral parcel mapping in Missouri.

(2) Accurately delineate the PLSS layer through practical application of available source information. Missouri county courthouses, the Missouri Land Survey Repository, and other official sources and authorities of PLSS and record surveys are appropriate sources for survey information and documentation.

(3) Determination of the digital location of section and quarter section corners of the PLSS should adhere to the survey principles, which created the PLSS, and now guide maintenance. Digital section vertices shall be held to the accuracy standards defined in this rule,

preferably existing only at the quarter-corners.

(4) Data prevalence for the establishment of the digital location of section corners shall be—

(A) Known coordinate points established by a licensed professional land surveyor, or as recorded with the Missouri Department of Agriculture's Land Survey Program;

(B) Reference data from available recorded or unrecorded surveys established by the County Surveyor or by licensed private surveyors and/or surveys filed with the Missouri Department of Agriculture's Land Survey Program;

(C) Reference data from real estate conveyances, subdivision plats, or other recorded land information;

(D) General Land Office (GLO) surveys and field notes; and

(E) Established land use on digital orthophotography.

(5) Documentation for the establishment of the PLSS section corners shall consist of a point data layer delineating how each corner was set. The PLSS registered section corner documents and subsequent research shall be referenced to this data layer within the digital mapping system. Delineation attribute may include, but not be limited to:

(A) Coordinate;

(B) Survey;

(C) Deed;

(D) Subdivision or Plat;

(E) GLO;

(F) Orthophotography; and

(G) Tax Map.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 65—Cadastral Mapping Survey Standards**

PROPOSED RULE

2 CSR 90-65.060 Digital Cadastral Parcel Mapping Requirements Pertaining to Land Parcels

PURPOSE: This rule describes the minimum standard requirements that apply to land parcels in a digital cadastral parcel mapping system.

(1) A digital cadastral parcel map shall be based upon the United States Public Land Survey System (USPLSS).

(2) Parcels shall be structured in a manner that facilitates topological analysis.

(3) All parcels shall be constructed as polygons.

(4) All Public Land Survey System (PLSS) corner lines shall be continuous and seamless within a mapping project and with adjoining mapping projects where mapping has been completed in conformity to these standards.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 65—Cadastral Mapping Survey Standards**

PROPOSED RULE

2 CSR 90-65.070 Accuracy Standard

PURPOSE: This rule prescribes the accuracy reporting requirements for digital cadastral parcel mapping.

(1) Accuracy reporting for digital cadastral parcel maps shall be made in accordance with Missouri Mapping Standards (MMS) of 10 CSR 30-6.010 to 10 CSR 30-6.030, or the Federal Geographic Data Committee's National Standard for Spatial Data Accuracy (NSSDA).

(2) If accuracy reporting is not provided using MMS, NSSDA, or other recognized standards, information shall be provided that enables users to evaluate how the data fits the requirements of their application. This information may include descriptions of the source material from which the Public Land Survey System (PLSS) and cadastral parcels were digitally constructed, accuracy of ground surveys associated with PLSS and cadastral parcel digital construction, and quality control procedures used in the production process.

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be

delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 65—Cadastral Mapping Survey Standards**

PROPOSED RULE

2 CSR 90-65.080 Disclaimer

PURPOSE: This rule describes the disclaimer to be included with any digital or hard copy map produced from a digital cadastral parcel mapping system.

A digital cadastral parcel map provides graphic representation and access to cadastral information, but it does not purport to represent the results of a property boundary survey of each parcel shown. It is not intended for property boundary determination of individual parcels, nor be used in lieu of a property boundary survey by a licensed professional land surveyor. Therefore, prominent display of the following disclaimer, or equivalent wording, shall be on any digital or hard copy map that displays cadastral parcel data.

"This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries."

AUTHORITY: section 60.670, RSMo 2016. Original rule filed Dec. 1, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 2—Practice and Procedure**

PROPOSED AMENDMENT

4 CSR 240-2.135 Confidential Information. The commission is amending sections (1), (2), (3), (4), (7), (9), (10), (11), (12), (15), (17), (18), (19), (20), (21), and (22), adding a new section (4), deleting (5), (6), (8), (13), (14), and (16), and renumbering as necessary.

PURPOSE: This amendment revises the procedures for handling confidential information in cases before the commission.

(1) [The commission recognizes two (2) levels of protection for information that should not be made public.] All items filed in case proceedings before the commission shall be open to the public unless protected pursuant to this rule or otherwise protected by law.

(2) Confidential Designation.

(A) [Proprietary information is information concerning trade secrets, as well as confidential or private technical, financial, and business information.] Any person may submit to the commission, without first obtaining a protective order, information designated as confidential if that information is—

[(B) Highly confidential information is information concerning—]

1. [Material or documents that contain information relating directly to specific c/ Customer[s]-specific information;

2. Employee-sensitive personnel information;

3. Marketing analysis or other market-specific information relating to services offered in competition with others;

4. Marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;

5. Reports, work papers, or other documentation related to work produced by internal or external auditors, [or] consultants, or attorneys, except that total amounts billed by each external auditor, consultant, or attorney shall always be public;

6. Strategies employed, to be employed, or under consideration in contract negotiations; [and]

7. [Information r/Relating to the security of a company's facilities/.]; or

8. Concerning trade secrets, as defined in section 417.453, RSMo.

(B) Any information designated as confidential shall be submitted with a cover sheet or pleading describing how such information qualifies as confidential under subsection (2)(A) of this rule, including the specific subsection relied upon and an explanation of its applicability. Only the specific information that qualifies as confidential shall be designated as such. In addition, each document that contains confidential information shall bear the designation "Confidential" and the 4 CSR 240-2.135(2)(A) through which that information is protected.

[(2)](3) Protective Order. [In addition to discovery and testimony which may be designated as highly confidential or proprietary without a protective order from the commission as set out in this rule, any person may seek an order protecting information from disclosure by the commission. A request for a protective order shall be made as follows:]

(A) In addition to information that may be designated as confidential as set out in this rule, any person may seek a protective order from the commission designating specific information as confidential. If a protective order is granted, the protected information shall be considered confidential information. A request for a protective order shall be made as follows:

[(A)]1. By filing a separate pleading denominated "Motion for Protective Order," which may initiate a new case if a related case is not already pending;

[(B)]2. The pleading shall state with particularity why the moving party seeks protection and what harm may occur if the information is made public;

[(C)]3. The pleading shall also state whether any of the information for which a claim of confidentiality is made can be found in any other [open] public document;

[(D)](B) The information [provided to the commission] for which a claim of confidentiality is made may be designated as

[highly] confidential [or proprietary] while the motion is pending; if only the specific information at issue is designated as such.

[(E) Any information designated as highly confidential or proprietary shall be provided in a redacted public version and a complete confidential version the same as for testimony as set out in section (11) of this rule; and

[(F) If the motion is granted, the information shall be protected from disclosure as set out in sections (3)–(22) of this rule.]

(4) The commission may order greater protection than that provided by a confidential designation upon a motion explaining what information must be protected, the harm to the disclosing entity or the public that might result from disclosure of the information, and an explanation of how the information shall be disclosed to the parties that require the information while protecting the interests of the disclosing entity and the public.

(A) While such a motion is pending, the information about which such a claim is made may be disclosed only to the attorneys of record or to outside experts that have been retained for the purpose of the case.

(B) Any document that contains such information shall bear the designation “Highly Confidential,” rather than “Confidential,” but shall otherwise follow the formatting delineated in section (10) of this rule.

[(3)](5) When a party seeks discovery of information that the party from whom discovery is sought believes to be confidential, the party from whom discovery is sought may designate the information [as proprietary or highly] confidential.

(A) No order from the commission is necessary before a party in any case pending before the commission may designate [material as proprietary or highly] discovery responses confidential, and such information shall be protected as provided in this rule.

(B) The party that designates discovery information [as proprietary or highly] confidential [must] shall inform, in writing, the party seeking discovery [of the reason for the designation] how each piece of that information qualifies as confidential under subsection (2)(A) of this rule at the same time it responds to the discovery request. If the party seeking discovery disagrees with the designation placed on the information, [it must utilize] that party shall follow the informal discovery dispute resolution procedures set forth at 4 CSR 240-2.090(8). If the party seeking discovery [continues to disagree with the designation placed on the information, it] exhausts these dispute resolution procedures, that party may file a motion challenging the designation.

[(C) This rule does not require the disclosure of any information that would be protected from disclosure by any privilege, rule of the commission, or the Missouri Rules of Civil Procedure.]

[(4)](6) [Proprietary] Confidential information may be disclosed only to the attorneys of record for a party and to employees of a party who are working as subject-matter experts for those attorneys or who intend to file testimony in that case, or to persons designated by a party as an outside expert in that case.

(A) The party disclosing information designated as [proprietary] confidential shall serve the information on the attorney for the requesting party.

(B) If a party wants any employee or outside expert to review [proprietary] confidential information, the party [must] shall identify that person to the disclosing party by name, title, and job classification before disclosure. [Furthermore, t/The person to whom the information is to be disclosed [must] shall comply with the certification requirements of section (7) of this rule.

(C) A customer of a utility may view his or her own customer-specific information, even if that information is otherwise designated as

[proprietary] confidential.

[(15) Highly confidential information may be disclosed only to the attorneys of record, or to outside experts that have been retained for the purpose of the case.

(A) Employees, officers, or directors of any of the parties in a proceeding, or any affiliate of any party, may not be outside experts for purposes of this rule.

(B) The party disclosing highly confidential information may, at its option, make such information available only on the furnishing party’s premises, unless the discovering party can show good cause for the disclosure of the information off-premises.

(C) The person reviewing highly confidential information may not make copies of the documents containing the information and may make only limited notes about the information. Any such notes must also be treated as highly confidential.

(D) If a party wants an outside expert to review highly confidential information, the party must identify that person to the disclosing party before disclosure. Furthermore, the outside expert to whom the information is to be disclosed must comply with the certification requirements of section (7) of this rule.

(E) Subject to subsection (5)(B), the party disclosing information designated as highly confidential shall serve the information on the attorney for the requesting party.

(F) A customer of a utility may view his or her own customer-specific information, even if that information is otherwise designated as highly confidential.]

[(16) If any party believes that information must be protected from disclosure more rigorously than would be provided by a highly confidential designation, it may file a motion explaining what information must be protected, the harm to the disclosing entity or the public that might result from disclosure of the information, and an explanation of how the information may be disclosed to the parties that require the information while protecting the interests of the disclosing entity and the public.]

(7) Any employee of a party or outside expert retained by a party that wishes to review [proprietary] confidential information[, or any outside expert retained by a party that wishes to review highly confidential or proprietary information must] shall first certify in writing that [he or she] such expert or party will comply with the requirements of this rule.

(A) The certification [must] shall include the signatory’s full name, permanent address, title or position, date signed, the case number of the case for which the signatory will view the information, and the identity of the party for whom the signatory is acting.

(C) The party seeking disclosure of the [highly] confidential [or proprietary] information [must] shall provide a copy of the certificate to the disclosing party before disclosure is made.

[(18) Attorneys possessing proprietary or highly confidential information or testimony may make such information or testimony available only to those persons authorized to review such information or testimony under the restrictions established in sections (4) and (5).]

[(9)](8) If information to be disclosed in response to a discovery request is information concerning another entity—whether or not a party to the case—[which] that the other entity has indicated is confidential, the disclosing party [must] shall notify the other entity of its intent to disclose the information. If the other entity informs the disclosing party that it wishes to protect the [material or] information, the disclosing party [must] shall designate the [material or]

information as *[proprietary or highly]* confidential under the provisions of this rule.

[(10)](9) Any party may use *[proprietary or highly]* confidential information in prefiled testimony, in a pleading, *[or]* at hearing, **or in a brief** if the same level of confidentiality assigned by the disclosing party, or the commission, is maintained. Before including nonpublic information that it has obtained outside this proceeding in its pleading or testimony, a party *[must]* **shall** ascertain from the source of the information whether that information is claimed to be *[proprietary or highly]* confidential.

[(11)](10) *[A party may designate portions of prefiled or live testimony as proprietary or highly confidential. Prefiled testimony]* **Any prefiled testimony** that contains information designated as *[proprietary or highly]* confidential *[must]* **shall** be filed with both a public and a nonpublic version as follows:

(A) *[A public version of the prefiled testimony must be filed along with the proprietary or highly confidential version of the testimony.]* For the public version, the *[proprietary or highly]* confidential portions *[must]* **shall** be *[obliterated or]* removed. *[The proprietary pages must be marked "P" and the removal of proprietary information shall be indicated by one (1) asterisk before and after the information, e.g., *proprietary information removed*. The highly confidential pages must be marked "HC" with t]*The removal of *[highly]* confidential information **shall** be indicated by underlining and two (2) asterisks before and after the *[highly]* confidential information, e.g., ****[highly c]Confidential information removed****. The designated information *[must]* **shall** be removed *[with blank spaces remaining so]* **in such a way** that the lineation and pagination of the public version remains the same as the *[highly]* confidential *[and proprietary]* version[s];

(B) For the nonpublic version of the prefiled testimony, the *[proprietary pages must be marked "P" and the proprietary information indicated by one (1) asterisk before and after the information, e.g., *Proprietary*. The highly confidential pages shall be stamped "HC" with the highly]* confidential information **shall** be indicated by underlining and by two (2) asterisks before and after the *[highly]* confidential information, e.g., ****[Highly C]Confidential information****; and

(C) At the hearing, the party offering the prefiled testimony *[must]* **shall** present a public version of the testimony in which the *[proprietary or highly]* confidential portions are *[obliterated or]* removed. The public version of the testimony will be marked as Exhibit _____. The offering party *[must]* **shall** also present a separate copy of the prefiled testimony containing *[proprietary or highly]* confidential information, sealed in an envelope. The version of the testimony containing *[proprietary or highly]* confidential information will be marked as Exhibit _____ *[P or H/C], as appropriate*].

[(12)](11) *[Not later than ten (10) days]* **At any time** after the **filing of discovery or** testimony *[is filed]* that contains information designated as *[proprietary or highly]* confidential, *[any party that wishes to]* **the commission may** challenge the designation of the **discovery or** testimony *[may file]*. **A party may also challenge such a designation at any time by filing** an appropriate motion with the commission.

[(A) If the designation of the testimony is challenged, the party asserting that the information is proprietary or highly confidential must, not later than ten (10) days, unless a shorter time is ordered, file a pleading establishing the specific nature of the information that it seeks to protect and establishing the harm that may occur if that information is disclosed to the public.

[(B) If the asserting party fails to file the pleading required by this section, the commission may order that the designated information be treated as public information.

(13) If a response to a discovery request requires the duplication of material that is so voluminous, or of such a nature that copying would be unduly burdensome, the furnishing party may require that the material be reviewed on its own premises, or at some other location, within the state of Missouri.

(14) If prefiled testimony includes information that has previously been designated as highly confidential or proprietary in another witness's prefiled testimony, that information must again be designated as highly confidential or proprietary.]

[(15)](12) All live testimony, including cross-examination and oral argument, which reveals information that is designated as *[proprietary or highly]* confidential may be offered only after the hearing room is cleared of all persons except those persons to whom the *[highly]* confidential *[or proprietary]* information is available under this rule. The transcript of such live testimony or oral argument *[will]* **shall** be kept under seal and copies *[will]* **shall** be provided only to the commission and *[the]* attorneys of record. The contents of such transcripts *[may]* **shall** not be disclosed to anyone other than those permitted access to the designated information under this rule.

[(16) Proprietary or highly confidential information may not be quoted in briefs or other pleadings unless those portions of the briefs or other pleading are also treated as proprietary or highly confidential.]

[(17)](13) All persons who have access to information under this rule *[must]* **shall** keep the information secure and may neither use nor disclose such information for any purpose other than preparation for and conduct of the proceeding for which the information was provided. This rule shall not prevent the commission's staff or the Office of the Public Counsel from using *[highly]* confidential *[or proprietary]* information obtained under this rule as the basis for additional investigations or complaints against any **public utility [company]**.

[(18)](14) After receiving *[an appropriate writ of review]* **a notice of appeal**, the commission will deliver *[proprietary and highly]* confidential testimony constituting part of the record before the commission to the reviewing court under seal, unless otherwise directed by the court.

[(19)](15) Within ninety (90) days after the completion of *[the]* **a** proceeding, including judicial review, all copies of all *[proprietary and highly]* confidential information, testimony, exhibits, transcripts, or briefs in the possession of any party *[must]* **shall** be returned to the party claiming a confidential interest in such information if that party requests that the information be returned. Otherwise, the information *[must]* **shall** be destroyed by the party possessing such information. Any notes pertaining to such information *[must]* **shall** be destroyed.

[(20)](16) The provisions of sections *[(4), (5)] (6), (7), [(8),]* and *[(19)] (15)* of this rule do not apply to officers or employees of the commission or to the public counsel or employees of the Office of the Public Counsel. The officers or employees of the commission and the public counsel and employees of the Office of the Public Counsel are subject to the nondisclosure provisions of section 386.480, RSMo. Neither the officers or employees of the commission, nor the public counsel and the employees of the Office of the Public Counsel shall use or disclose any information obtained in discovery for any purpose other than in the performance of their duties.

[(21)](17) Outside experts of the staff of the commission or the

Office of the Public Counsel who have been contracted to be witnesses in the proceeding **shall** have access to designated information and testimony on the same basis as the staff of the commission and the Office of the Public Counsel except that the outside expert *[must]* **shall** comply with the provisions of sections (7) and *[(19)]* (15). Outside experts of the staff of the commission and the Office of the Public Counsel who have not been contracted to be witnesses in the proceeding *[are]* **shall be** subject to all provisions of this rule.

[(22)](18) A claim that information is *[proprietary or highly]* confidential *[is]* **constitutes** a representation to the commission that the claiming party has a reasonable and good faith belief that the subject document or information is, *in fact, proprietary or highly]* confidential **pursuant to the section of this rule cited as justification for the designation.**

[(23)](19) The commission may waive or grant a variance from any provision of this rule for good cause shown.

AUTHORITY: sections 386.040 and 386.410, RSMo [2000] 2016. Original rule filed May 25, 2006, effective Jan. 30, 2007. Amended: Filed March 2, 2011, effective Oct. 30, 2011. Amended: Filed Nov. 21, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0068. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for February 16, 2017, at 9:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.015 General Definitions

PURPOSE: This rule sets forth the definitions of certain terms used in rules 4 CSR 240-4.017 through 4 CSR 240-4.050.

(1) Contested case—Shall have the same meaning as in section 536.010(4), RSMo.

(2) Commission—Means the Missouri Public Service Commission as created by Chapter 386, RSMo.

(3) Commissioner—Means one (1) of the members of the Missouri Public Service Commission.

(4) Discussed case—A contested or noticed contested case that includes, or will likely include, substantive issues that are the subject of an ex parte or extra-record communication regulated under this rule.

(5) Ex parte communication—Any communication outside of the case process between a member of the office of the commission and any party, or the agent or representative of a party, regarding any substantive issue in, or likely to be in, a contested or noticed contested case. Ex parte communications shall not include a communication regarding general regulatory policy allowed under section 386.210.4, RSMo, communications listed in 4 CSR 240-4.040, communications made thirty (30) days after the commission issues a final determination in a case, or communications that are de minimis or immaterial.

(6) Extra-record communication—Any communication outside of the case process between a member of the office of the commission and any person not a party to a contested or noticed contested case regarding any substantive issue in, or likely to be in, that contested or noticed contested case. Extra-record communications shall not include communications regarding general regulatory policy allowed under section 386.210.4, RSMo, communications with members of the general assembly or other government official allowed under section 386.210.5, RSMo, communications listed in 4 CSR 240-4.040, communications made thirty (30) days after the commission issues a final determination in a case, communications between the office of the commission and the commission's non-party employees, or communications that are de minimis or immaterial.

(7) Final determination—A decision of the commission that resolves a contested case, including all applications for rehearing and reconsideration.

(8) Noticed contested case—Any case for which a notice of contested case has been filed in compliance with 4 CSR 240-4.017.

(9) Office of the commission—Commissioners, a commissioner, a member of the commission's advisory staff, or the commission's regulatory law judges.

(10) Party—Any applicant, complainant, petitioner, respondent, intervenor, or person with an application to intervene pending in a contested or noticed contested case before the commission. Commission staff and the public counsel are also parties unless they file a notice of their intention not to participate in the relevant proceeding within the period of time established for interventions by commission rule or order.

(11) Person—Any individual, partnership, company, corporation, cooperative, association, political subdivision, or any other entity or body.

(12) Public counsel—Shall have the same meaning as in section 386.700, RSMo.

(13) Substantive issue—Facts, evidence, claims, or positions specific to a contested or noticed contested case that have been or are likely to be presented or taken in that case. The term substantive issue does not include procedural issues, unless those procedural issues are contested or likely to materially impact the outcome of a contested case.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: *Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.*

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.017 General Provisions

PURPOSE: This rule sets forth provisions that are applicable to both ex parte and extra-record communications.

(1) Any person that intends to file a case likely to be a contested case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of any communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice. The filing of such notice shall initiate a new noticed contested case and be assigned an appropriate case designation and number. If the expected contested case filing is subsequently made, it shall be filed in the noticed contested case. If the expected contested case filing is not made within one hundred eighty (180) days, the noticed contested case shall close.

(A) The commission may reject any filing not in compliance with this section.

(B) This section shall not apply to small formal complaints under commission rule 4 CSR 240-2.070 or small utility rate cases under commission rule 4 CSR 240-3.050.

(C) This section shall not apply to formal complaints under commission rule 4 CSR 240-2.070. However, formal complaints shall include, contemporaneous with the filing initiating the complaint, a summary of any communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the sixty (60) days prior to filing the complaint.

(D) A party may request a waiver of this section for good cause. Good cause for waiver may include, among other things, a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case or that circumstances prevented filing the required notice and delaying the filing for sixty (60) days would cause harm.

(2) Unless properly admitted into evidence in subsequent proceedings, no ex parte or extra-record communication shall be considered as part of the record on which the commission reaches a decision in a contested case.

(3) A utility regulated by the commission that offers a tour of its facilities to the office of the commission shall also offer the Office of the Public Counsel an opportunity to participate in that tour, and the tour shall be posted on a public calendar for each commissioner who plans to participate.

(4) Pursuant to section 386.210.4, RSMo, nothing in this rule shall be construed as imposing any limitation on the free exchange of ideas, views, and information between any person and the commission or any commissioner, provided that such communications relate to matters of general regulatory policy and do not address substantive issues in or likely to be in a contested or noticed contested case.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: *Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.*

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RESCISSION

4 CSR 240-4.020 Ex Parte and Extra-Record Communications. This rule regulated communications between the commission, technical advisory staff, and presiding officers, and anticipated parties,

agents of parties, and interested persons regarding substantive issues that are not part of the evidentiary record.

PURPOSE: This rule is being rescinded and replaced with six (6) new rules relating to ex parte and extra-record communications.

AUTHORITY: section 386.410, RSMo 2000. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Rescinded and readopted: Filed Nov. 4, 2009, effective July 30, 2010. Rescinded: Filed Nov. 28, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: *Anyone may file comments in support of or in opposition to this proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rescission is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.*

SPECIAL NEEDS: *Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.020 Ex Parte Communications

PURPOSE: To set forth the standards to promote the public trust in the commission with regard to pending filings and cases. This rule regulates communication between members of the office of the commission and parties regarding substantive issues.

(1) Neither any party nor any member of the office of the commission shall initiate, participate in, or undertake, directly or indirectly, an ex parte communication.

(A) If such a communication occurs, the party and the member of the office of the commission involved in the communication should immediately make a reasonable effort to terminate the communication.

(2) A party or member of the office of the commission who initiates an ex parte communication shall, within one (1) business day, following such communication give notice of that communication as follows:

(A) If the communication is written, the initiating party shall file a copy of the written communication in the official case file for the discussed case; or

(B) If the communication is not written, the initiating party shall file a memorandum disclosing the communication in the official case file for each discussed case. The memorandum must contain a list of all participants in the communication; the date, time, location, and approximate duration of the communication; the means by which the communication took place; and a summary of the substance of the communication and not merely a listing of the subjects covered. Alternatively, a recording or transcription of the communication may be filed, as long as that recording or transcription indicates all participants and the date, time, location, approximate duration, and means of communication.

(3) If an ex parte communication occurs and the initiating party fails to file a notice in the manner set forth in section (2), any other party or member of the office of the commission involved in the communication, upon learning of the person's failure to file such notice, shall give notice of the ex parte communication in the manner set forth in section (2) as soon as practicable.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Rescinded and readopted: Filed Nov. 4, 2009, effective July 30, 2010. Rescinded and readopted: Filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: *Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.*

SPECIAL NEEDS: *Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.030 Extra-Record Communications

PURPOSE: To set forth the standards to promote the public trust in the commission with regard to pending filings and cases. This rule regulates communication between members of the office of the commission and persons who are not parties to a case regarding substantive issues.

(1) If any person initiates an extra-record communication, that person shall, within one (1) business day following such communication, give notice of that communication as follows:

(A) If the communication is written, file a copy of the written communication in the official case file for the discussed case; or

(B) If the communication is not written, file a memorandum summarizing the communication in the official case file for each discussed case. Alternatively, a recording or transcription of the communication may be filed, as long as that recording or transcription indicates the date, time, location, approximate duration, and means of communication.

(2) If an extra-record communication occurs and the initiating party fails to file a notice in the manner set forth in section (1), any other party or member of the office of the commission involved in the communication, upon learning of the person's failure to file such notice, shall give notice of the extra-record communication in the manner set forth in section (1) as soon as practicable.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.040 Communications that are not Ex Parte or Extra-Record Communications

PURPOSE: To identify examples of communications that are not ex parte or extra-record communications.

(1) Pursuant to section 386.210.3, RSMo, no communication shall be prohibited by, or subject to, the disclosure and notice requirements of rule 4 CSR 240-4.020 or 4 CSR 240-4.030, if those communications are made before an evidentiary hearing has been scheduled in the case and are—

(A) Made at a public agenda meeting of the commission where such matter has been posted in advance as an item for discussion or decision; or

(B) Made at a forum where representatives of the public utility affected thereby, the Office of the Public Counsel, and any other party to the case are present.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 4—Standards of Conduct**

PROPOSED RULE

4 CSR 240-4.050 Limitation on Appearance before Commission

PURPOSE: To set forth the standards of conduct to promote the public trust and maintain public confidence in the commission's integrity and impartiality with regard to pending filings and cases.

No person who has served as a member of the office of the commission shall, after termination of service with the office of the commission, appear before the commission in relation to any contested case that existed while that person served with the office of the commission.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 28, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2017, and should include reference to Commission Case No. AX-2017-0128. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 16, 2017, at 1:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**[Title 6—DEPARTMENT OF HIGHER EDUCATION]
Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**[Division 10—Commissioner of Higher Education]
Division 2200—State Board of Nursing
[Chapter 11] Chapter 7—Nursing Education Incentive
Program**

PROPOSED AMENDMENT

[6 CSR 10-11.010] 20 CSR 2200-7.010 Nursing Education Incentive Program. The board is moving the rule, amending the purpose statement, and sections (2), (3), (4), and (6).

PURPOSE: This amendment moves the Nursing Education Incentive Program from the Department of Higher Education to the State Board of Nursing due to the passage of HB 1816 in 2016.

PURPOSE: This rule sets forth the criteria to be used by the [Department of Higher Education and the] State Board of Nursing regarding the awarding of grants to eligible institutions of higher education under the Nursing Education Incentive Program.

(2) Institutional Criteria for Grant Awards. To be eligible to receive a Nursing Education Incentive Grant, the applicant must meet the following eligibility criteria:

(B) Be accredited by the Higher Learning Commission of the North Central Association, another regional accreditor recognized by the U.S. Department of Education or provide evidence of active participation in a regional state authorization reciprocity agreement administered through the National Council of State Reciprocity Agreements (NC-SARA); *and*

(C) Offer a pre-licensure and/or post-licensure nursing program

or programs that meet the following program criteria:

1. Pre-licensure nursing program qualifying criteria—

[1./A. Official National Council Licensure Examination for Registered Nurses (NCLEX-RN) pass rates consistently greater than or equal to eighty percent (80%);

[2./B. Record of consistently meeting requirements for full approval by the Missouri State Board of Nursing;

[3./C. Student graduation rates greater than or equal to eighty percent (80%). Graduation rate shall mean the percent of first time students who complete their program within one hundred fifty percent (150%) of the normal time to completion; and

[4./D. Job placement rates greater than or equal to ninety percent (90%). Job placement rate shall mean the percent of program graduates (less those continuing their education) who have secured employment in the nursing field within six (6) months of graduation./];

2. Post-licensure nursing program qualifying criteria—

A. National nursing accreditation by a national agency specific to nursing education that is recognized by the board;

B. Post-licensure certification exam pass rates consistently greater than or equal to eighty percent (80%), if applicable;

C. Student graduation rates greater than or equal to eighty percent (80%). Graduation rate shall mean the percent of first time students who complete their program within one hundred fifty percent (150%) of the normal time to complete the program; and

D. Job placement rates greater than or equal to ninety percent (90%). Job placement rate shall mean the percent of program graduates (less those continuing their education) who have secured employment in the nursing field within six (6) months of graduation; and

(D) Qualifying criteria specific to the nursing program(s) impacted by projected grant funding shall be included.

(3) Required Components of The Grant Proposal. *[To receive consideration, e/Each proposal [must/ shall include the following components:*

(B) Abstract—Applicants [must/ shall provide a one- (1-)/-] page overview of the project that includes its goals, purpose, and scope; and

(C) Narrative description of the proposal including:

1. Description of the activities that will be undertaken as part of the grant;

2. Description of the capacity and structure the institution has in place to administer the grant activities;

3. Explanation of how the proposal will impact the goals established for the grant program; and/

4. Projected timeline for implementation and completion of proposed grant activities;

[4./5. Measures to be utilized to evaluate impact and effectiveness. The following data/information **should be included:**

A. Student admissions/progression requirements;

B. For each of the past three (3) years, the number of applicants for admission that met those requirements yet were denied admission due to a lack of capacity;

C. The number of faculty positions that are currently vacant and the duration of any such vacancy;

D. Any evidence that would indicate that additional graduates will serve geographically underserved areas of the state; and

E. Description of the applicant's plan for maintaining the benefits of the initiative following the expiration of the grant;

[5./6. Goals and objectives—Applicants [must/ shall identify the goals and objectives of the project. Activities, services, and anticipated outcomes should be described and clearly aligned with the objectives of the overall grant program; and

[6./7. Budget summary and narrative—Applicants [must/ shall provide detail concerning personnel, activities, and services paid for through grant funds. This should include:

A. Proposed expenditures for the grant period; and

B. A narrative outlining how funds will be used to accomplish the goals and objectives of the project. Each budget category must be justified in the budget narrative.

(4) Goals and Objectives. *[Successful proposals must]* **Proposals shall** show evidence of their ability to impact the program goals of *[an increase in]* **expansion of** faculty resources and/or an increase in student capacity. Grant proposals *[should]* **shall** focus on one (1) or more of the following areas:

(5) Grant Award Amounts and Duration. Proposals are limited to one (1) year in duration, with the potential for extensions of two (2) additional one- (1-)/- year periods. Grants are limited to one hundred fifty thousand dollars (\$150,000) per campus for each year.

(6) Grant Applications Submission Deadlines. The *[Missouri Department of Higher Education (MDHE)]* **Missouri State Board of Nursing** will establish and publicize the filing deadlines for the submission of grant applications. To be considered complete, applications must include all components referenced in section (3) of this rule and be received at the offices of the *[MDHE]* **board** by 5:00 p.m. on the deadline date.

AUTHORITY: sections 335.036 *[and]*, 335.200 *[to]*, and 335.203, *[HB 233, First Regular Session, Ninety-sixth General Assembly, 2011]* **RSMo 2016**. Emergency rule filed Sept. 23, 2011, effective Oct. 3, 2011, expired March 30, 2012. Original rule filed July 12, 2011, effective Jan. 30, 2012. Moved and amended: Filed Nov. 21, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 61—United States Public Land Survey Corners**

PROPOSED AMENDMENT

[10 CSR 30-3.010] 2 CSR 90-61.010 Definitions. Pursuant to HB28 the Land Survey Program was moved from Department of Natural Resources to Department of Agriculture in August 2013. The division is moving the rule and amending sections (1)–(10).

PURPOSE: The division is amending this rule to better define the terms used in this chapter.

(1) Alteration of a corner, *[the]* changing *[of]* the physical monumentation of *[the]* a corner or **adding witness** accessories.

(2) Corners of the United States Public Land Survey, those points that determine the boundaries of the various subdivisions represented on the official plat such as the township corner, the section corner, the quarter section corner, blank quarter section corners, fractional section corner, center of section, grant corner, lot corner, and meander corner.

(3) Date of the field work, is the date on which the monument was physically *[placed in the ground]* **altered or removed and referenced**.

(4) Existent corner, a corner whose position can be identified by verifying the evidence of the original monument or its accessories, or by some physical evidence described in the field notes, or located by an acceptable supplemental survey record or some physical evidence thereof, or by testimony. The physical evidence of a corner may have been entirely obliterated, but the corner will be considered existent if its position can be recovered through the testimony of one (1) or more witnesses who have a dependable knowledge of the original location. A legally reestablished corner shall have the same status as an existent corner.

(5) Lost corner, a corner whose position cannot be determined, beyond reasonable doubt, either from traces of the original marks or from acceptable evidence or testimony that bears upon the original position.

(6) Monument, the physical object which marks the corner point determined by the surveying process. The accessories, such as bearing trees, bearing objects, reference monuments, mounds of stone, and other similar objects that aid in identifying the corner position, are also considered a part of a corner monument.

(7) Reestablishment of a corner, the *[re]*monumentation of a lost corner *[using statutory procedures]* **whose position has been determined by proportionate measurement**.

(8) Reference monument, a monument set in such a manner and location that the position of the actual corner can be located from it by direction and distance or by two (2) distances when two (2) reference monuments are set.

[(8)](9) Removal of a corner, the complete elimination of *[the]* an existing corner monument *[because of construction, clearing or similar operations]*.

[(9)](10) Restoration of a corner, the *[remonumentation]* **alteration** of an existent *[or obliterated]* corner *[from survey records, physical evidence or by testimony]*.

[(10)] Suitable reference monuments, monuments set in such a manner and position that the corner which is referenced could be located by angle and distance or by two (2) distances from these monuments.]

AUTHORITY: sections 60.321, *RSMo Supp. 1989]* and 60.550, *RSMo [1986] 2016*. Rule originally filed as 10 CSR 30-3.010. Original rule filed Dec. 8, 1975, effective Dec. 18, 1975. Rescinded and readopted: Filed Feb. 10, 1982, effective May 13, 1982. Rescinded and readopted: Filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with

Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 61—United States Public Land Survey Corners

PROPOSED AMENDMENT

[10 CSR 30-3.020] **2 CSR 90-61.020 Authorization for Removal or Alteration of Corners.** The division is moving the rule, amending the title and purpose, and amending the text of the rule.

PURPOSE: The division is amending this rule to modernize the language and terms in this rule.

PURPOSE: This rule [defines a procedure] identifies who is authorized to alter or remove a [government] corner of the United States Public Land Survey and how to obtain [approval of] permission from the Department of [Natural Resources] Agriculture.

[All persons wishing] Only a professional land surveyor is authorized to remove [or], alter, restore, or reestablish a corner of the United States Public Land Survey [shall employ a registered land surveyor to establish suitable reference monuments and]. Any professional land surveyor who removes, alters, restores, or reestablishes a corner of the United States Public Land Survey shall [file] report this action by filing an approved document [showing the reference monument or alteration] with the Missouri Department of Agriculture, Land Survey Program within ninety (90) days from the date of the field work. The permission required by section 60.550, RSMo is granted upon filing the approved document with the Missouri Department of [Natural Resources] Agriculture Land Survey Program.

AUTHORITY: sections 60.321[, RSMo Cum. Supp. 1989] and 60.550, RSMo [1986] 2016. Rule originally filed as 10 CSR 30-3.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City,

MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners

PROPOSED RESCISSION

10 CSR 30-3.030 Reestablished or Restored Corners. This rule prescribed the time frame for filing documentation on restored or reestablished corners.

PURPOSE: This rule is being rescinded because it is repetitive of rule 10 CSR 30-3.020.

AUTHORITY: sections 60.321, RSMo Supp. 1989 and 60.550, RSMo 1986. Original rule filed May 3, 1994, effective Dec. 30, 1994. Rescinded: Filed Dec. 1, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
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Chapter 61—United States Public Land Survey Corners

PROPOSED AMENDMENT

[10 CSR 30-3.040] **2 CSR 90-61.040 Procedure for Filing Documents.** The division is moving the rule, amending the purpose, and amending sections (1), (2), and (4).

PURPOSE: The division is amending this rule to modernize the language and terms in this rule.

PURPOSE: This rule describes the procedure for filing *certified land corner [restoration or reestablishment]* documents with the Department of [Natural Resources] Agriculture.

(1) Approved documents shall be filed with the Department of [Natural Resources, Division of Geology and Land Survey, P.O. Box 250, Rolla, MO 65401] Agriculture, Weights, Measures and

Consumer Protection Division, Land Survey Program, PO Box 937, Rolla, MO 65402-0937. Documents filed with the county recorder must first be filed with the Department of *[Natural Resources/ Agriculture]*.

(2) *[Restoration/Reestablishment]* **Certified Land Corner Document** and Resident Witness Affidavit forms may be obtained in a reasonable number from the Department of *[Natural Resources, Division of Geology and Land Survey, P.O. Box 250, Rolla, MO 65401]* **Agriculture, Weights, Measures and Consumer Protection Division, Land Survey Program, PO Box 937, Rolla, MO 65402-0937.**

(4) Filing of corner documentation with the Department of *[Natural Resources/ Agriculture]* does not create an implied warranty by either the **professional land** surveyor or the Department of *[Natural Resources/ Agriculture]* as to conclusive evidence of the corner location.

AUTHORITY: sections 60.321*[, RSMo Supp. 1989]* and 60.550, RSMo **[1986] 2016.** Rule originally filed as 10 CSR 30-3.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners]**

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection**

Chapter 61—United States Public Land Survey Corners

PROPOSED AMENDMENT

[10 CSR 30-3.050] 2 CSR 90-61.050 Monumentation. The division is moving the rule and amending sections (1), (2), (3), (4), and (6).

PURPOSE: The division is amending this rule to modernize the language and terms in this rule.

(1) All corner **monuments**, witness **monuments**, and reference monuments shall be permanent monuments of a type providing a degree of permanency consistent with that of the adjacent terrain and physical features. Monuments *[will]* **shall** meet the requirements for a permanent monument in accordance with **[10 CSR 30-2.060]** **the Missouri Standards for Property Boundary Surveys.**

(2) In such cases where the placement of a required corner monument at its proper location is impractical, it shall be permissible to

set a reference or witness monument or mark near that point, and if such reference monument or mark is set, its location shall be properly shown on the **certified land corner** document~~ation~~.

(3) All monuments shall be marked and designated in accordance with **[10 CSR 30-3.060]** **the Bureau of Land Management (BLM) system of marking monuments that furnishes ready identification of the position of the monument which bears the mark. Letters and numerals should be carefully stamped with three-sixteenths inch (3/16") or one-eighth inch (1/8") steel dies and should always be made to read from the south. Lines and crosses should be made with a sharp, cold chisel. The precise position shall be marked by a point, cross, or appropriate symbol on the monument.**

(4) Where possible, four (4) reference ties (distance and/or direction) to durable objects will be made to provide the means for *[relocating]* **restoring the position of** the marked corner if the monument is disturbed. Durable objects include, but are not restricted to: house corners *[fully describe]*, marks on concrete structures or pavement, marks on ledge or bedrock, trees, additional permanent monuments, fence posts, utility poles, and crosses on curbs. **All durable objects and reference ties shall be fully described on the document.**

(6) At locations where a stone, iron pin, pipe, or other monument is to be replaced by a permanent monument, the existing monument will be removed and buried or placed alongside the permanent monument. *If there is an "X" or other mark on the old monument, it should be buried facing down or on its side so as in such a manner that it will not [to]* be confused with the permanent monument.

AUTHORITY: sections 60.321*[, RSMo Supp. 1989]* and 60.550, RSMo **[1986] 2016.** Rule originally filed as 10 CSR 30-3.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners**

PROPOSED RESCISSION

10 CSR 30-3.060 Monument Marking. This rule prescribed a uniform procedure for marking corner monuments.

PURPOSE: This rule is being rescinded since its content has been added to section (3) of rule 2 CSR 90-61.050 title Monumentation.

AUTHORITY: sections 60.321, RSMo Supp. 1989 and 60.550, RSMo 1986. Original rule filed May 3, 1994, effective Dec. 30, 1994. Rescinded: Filed Dec. 1, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
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Division 90—Weights, Measures and Consumer
Protection
Chapter 61—United States Public Land Survey Corners

PROPOSED AMENDMENT

[10 CSR 30-3.070] 2 CSR 90-61.070 Missouri Coordinate System[,] of 1983. The division is moving the rule, amending the title and purpose, and amending sections (1)–(3).

PURPOSE: The division is amending this rule to modernize the language and terms in this rule.

PURPOSE: This rule prescribes requirements for referencing corners of the United State Public Land Survey to the [use of] Missouri Coordinate System of 1983 [in special situations].

(1) When the corner that is [reestablished or] removed, altered, restored, or reestablished is [part of a survey to create a subdivision and if that subdivision is] required to be [tied] referenced to the Missouri Coordinate System of 1983, the corner [shall also be tied to the Missouri Coordinate System of 1983 and the] coordinates shall be shown on the [Restoration/Reestablishment] Certified Land Corner Document form.

(2) [State c/]Coordinates [to be] referenced to the Missouri Coordinate System of 1983 and shown on [restoration] Certified Land Corner Document forms shall [be in accordance with 10 CSR 30-2.050.] comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 2 CSR 90-62) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards set forth in the Missouri Standards for Property Boundary Surveys; and

(C) The following information shall be included on the Certified Land Corner Document form:

1. The geodetic control station(s) that were used to determine the position of the corner;

2. The coordinates of the geodetic control station(s) used and

the appropriate zone designation;

3. The appropriate adjustment date or realization designation on the North American Datum of 1983 along with the epoch date, when applicable;

4. A brief statement of the method used to obtain the position; and

5. The grid factor used.

(3) [State coordinates] Coordinates referenced to the Missouri Coordinate System of 1983 may be used to reference corners in lieu of monuments.

AUTHORITY: sections 60.321, RSMo Supp. 1989] and 60.550, RSMo [1986] 2016. Rule originally filed as 10 CSR 30-3.070. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 3—United States Public Land Survey
Corners]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 61—United States Public Land Survey Corners

PROPOSED AMENDMENT

[10 CSR 30-3.080] 2 CSR 90-61.080 Approved Documents. The division is moving the rule, amending the purpose, and sections (1)–(2).

PURPOSE: The division is amending this rule to modernize the language and terms in this rule.

PURPOSE: This rule prescribes the form of the document to be [registered] filed with the Department of [Natural Resources] Agriculture.

(1) An approved document may be any one (1) of the following:

(A) Certified Land Corner [Restoration] Document form [(for restoration and alteration of existing corners and for referencing of corners to be destroyed)]; or

[(B) Certified Land Corner Reestablishment form (for reestablished corners); and]

[(C)](B) Special form approved by the Department of [Natural Resources] Agriculture.

(2) Preparation of [Restoration or Reestablishment] Certified

Land Corner Document Forms. All information (except drawings), will be typed or completed in black ink. Lettering or typing shall not be less than eight/- hundredths inch (0.08") in height. Drawings may be made in black pencil so long as all drawings will make sharp and clear copies.

(A) The following information shall be *[given]* **included** on all corner forms:

1. The description of the original monument, witness ties, and any subsequent restorations, **including the date of the survey, the document reference** (*[including]* book and page, *or* **and/or** microfilm location *[and date]*) **and the professional surveyor of record.** Original survey notes need not be given in urban or built-up areas;
2. Signature and seal of the *[registered]* **professional** land surveyor;
3. Date of the survey field work;
4. Basis of bearing system used;
5. Description of the monument, monument marking, and witness/reference ties;
6. Comprehensive sketch of the corner location sufficient to find the monument; and
7. *[State c]* **Coordinates referenced to the Missouri Coordinate System of 1983**, if known.

(B) The following additional information is required for forms showing the restoration or alteration of existing corner monuments:

1. Description of the evidence found *[to show that]* **indicating** the corner is *[an existing corner position]* **existent**;
2. Resident witness affidavits, when the corner is restored from testimony; **and**
3. Distances and directions used to retrace prior evidence.

AUTHORITY: sections 60.321, *RSMo Supp. 1989* and 60.550, *RSMo [1986] 2016*. Rule originally filed as 10 CSR 30-3.080. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and Vertical Control]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer Protection
Chapter 62—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

[10 CSR 30-4.010] 2 CSR 90-62.010 Definitions. Pursuant to

HB28 the Land Survey Program was moved from Department of Natural Resources to Department of Agriculture in August 2013. The division is moving the rule, amending the purpose, and amending sections (1)–(4).

PURPOSE: The division is amending this rule to better define the terms used in this chapter.

PURPOSE: This rule defines technical terms used in Chapter [4] 62.

(1) Positional accuracy of a station *[is]—[t]* **The *[accuracy]* uncertainty in the position** of the station *[related]* **relative** to the *[reference]* stations that are held fixed (**i.e.**, National Geodetic Survey (NGS) or other higher order stations) in the process of the adjustment. Positional accuracy of a station is computed from the constrained, correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

(2) Relative accuracy *[is]—[t]* **The *[relative]* uncertainty in the position** of one **(1)** station *[with respect]* **relative** to another station. It is computed for all directly connected stations from the minimally constrained and the constrained correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

(3) Rural area—For purposes of this chapter, a rural area is any second, third, or fourth class county according to **section 48.020, RSMo.**

(4) Urban area—For purposes of this chapter, an urban area is any first class county according to **section 48.020, RSMo.**

AUTHORITY: section[s] 60.451.3. *[and 60.461]*, *RSMo [1986] 2016*. Rule originally filed as 10 CSR 30-4.010. Original rule filed March 1, 1978, effective July 15, 1978. Rescinded and readopted: Filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and Vertical Control]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer Protection
Chapter 62—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

[10 CSR 30-4.020] 2 CSR 90-62.020 Horizontal Control

Classification. The department is moving the rule and amending sections (1)–(3).

PURPOSE: *The division is amending this rule to modernize the language and terms in this rule.*

(1) First Order Horizontal Control Classification. The purpose of this class of survey is to establish *[the]* primary horizontal control *[station of]* for the Missouri Geographic Reference System or the National *[Geodetic]* **Spatial** Reference System.

(2) Second Order Horizontal Control Classification. The purpose of this class of survey is to establish secondary and supplemental horizontal control stations of the Missouri Geographic Reference System or the National *[Geodetic]* **Spatial** Reference System.

(3) Both first and second order stations are dependent stations constrained to the existing first and second order stations of the Missouri *[Geodetic]* **Geographic** Reference System and/or the National *[Geodetic]* **Spatial** Reference System. These stations are **intended** to be used to meet the needs of mapping, **geographic information systems**, land information systems, property *[boundaries,]* **boundary surveys**, and *[engineering]* **design** surveys.

AUTHORITY: *section[s] 60.451.3. [and 60.461], RSMo [1986] 2016. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and
Vertical Control]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 62—First and Second Order Horizontal and
Vertical Control**

PROPOSED AMENDMENT

[10 CSR 30-4.030] 2 CSR 90-62.030 Accuracy of Horizontal Control. The division is moving the rule and amending sections (1)–(4).

PURPOSE: *The division is amending this rule to modernize the language and terms in this rule.*

(1) The accuracy of a horizontal control station is classified according to constrained and unconstrained, relative accuracy of the dis-

tance between *[the]* stations, and the positional accuracy of the station relative to the *[known]* stations **held fixed in the adjustment**. *[The failure to meet any of the three criteria shall cause the station to not meet the classification.] If the requirements for all three (3) criteria are not satisfied, the station shall fail to qualify for the classification.*

(2) First Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent *[points]* **stations** shall be equal to or less than twelve millimeters (12 mm) for distances equal or less than one kilometer (1 km), and ten parts per million (10 ppm) for distances greater than one kilometer (1 km).

(3) Second Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent *[points]* **stations** shall be equal to or less than twenty-five millimeters (25 mm) for distances equal to or less than one kilometer (1 km), and twenty parts per million (20 ppm) for distances greater than one kilometer (1 km).

(4) To fully qualify as a first or second order control station, the station must be accepted and published by the Missouri Department of *[Natural Resources]* **Agriculture** or the *[United States Coast and Geodetic Survey]* **National Geodetic Survey** or its successor organization.

AUTHORITY: *section 60.451.3. [and 60.461], RSMo [1986] 2016. Rule originally filed as 10 CSR 30-4.030. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and
Vertical Control]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 62—First and Second Order Horizontal and
Vertical Control**

PROPOSED AMENDMENT

[10 CSR 30-4.040] 2 CSR 90-62.040 Acceptance and Publication by [DNR] Missouri Department of Agriculture. The division is moving the rule and amending sections (1), (2), (3), (5), (6), and (7).

PURPOSE: *The division is amending this rule to modernize the language and terms in this rule.*

(1) The following information will be submitted for each control survey that is to be evaluated for inclusion into the Missouri Geographic Reference System (MO GRS) as a first or second order station.

(C) A north arrow and graphic scale should appear on the sketch. All station symbols should be labeled with the station name. *[with an inset used w/]* When stations are spaced too closely together to be clearly depicted on the network sketch, **an inset shall be used.**

(2) A report shall be submitted for each project and shall be signed and sealed by the **professional land** surveyor or **professional engineer** in responsible charge. The report shall be the main source of information for judging whether or not the stations should be accepted as MO GRS stations. It shall be the responsibility of the **professional land** surveyor or **professional engineer** to supply sufficient information in the report to facilitate inclusion of the stations in the MO GRS.

(3) The report shall contain a clear description of the survey procedures and equipment used in the field. This includes, but is not limited to, the information entered into the field log and auxiliary information such as logistics, preanalysis *[and]*, satellite selection results (if Global Positioning System (GPS) survey), personnel involved, and difficulties encountered.

(5) The following shall be included for GPS surveys. The version number and date of the GPS software used must be reported. For GPS surveys, the **professional land** surveyor or **professional engineer** must also specifically report the baselines rejected for the project. All parameters used for any coordinate transformations shall be presented and any scaling of the covariance matrix by the **professional land** surveyor or **professional engineer** must be described in detail. If the covariance matrix has been scaled, the scale factor used must also be presented. These results must be reported for all single base line and network solutions. Statistical testing of the survey results from the network solution, including analysis of variance factors, semi-major axis of *[2-d] two- (2-) dimensional* (horizontal) or *[3-d] three- (3-) dimensional* ninety-five percent (95%) **(horizontal and vertical)** relative confidence regions between all directly connected pairs of *[points] stations*, residuals and residual outliers shall be provided. In addition, the results of any self-validation checks must be reported *[,]* including, but not limited to, comparisons of any repeated single base line solutions.

(6) For traverse surveys, all field data used to determine directions, distances, azimuths, and elevations, **as well as** the adjustment calculations, shall be submitted along with the name of the software used in the adjustment. The data submitted shall show the final results of the adjustment and the error analysis.

(7) Only those stations meeting the requirements of *[10 CSR 30-4.030, 10 CSR 30-4.040, 10 CSR 30-4.050 and 10 CSR 30-4.060]* **2 CSR 90-62.030, 2 CSR 90-62.040, 2 CSR 90-62.050, and 2 CSR 90-62.060** will be accepted for publication in the MO GRS.

AUTHORITY: *section[s] 60.451.3. [and 60.461], RSMo [1986] 2016. Rule originally filed as 10 CSR 30-4.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private enti-*

ties more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

*[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and Vertical Control]*

*Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer Protection*

Chapter 62—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

[10 CSR 30-4.050] 2 CSR 90-62.050 GPS Survey Guidelines. The division is moving the rule and amending sections (1), (2), (3), (4), (9), (10), (11), and (15).

PURPOSE: *The division is amending this rule to modernize the language and terms in this rule.*

(1) Direct connections must be made to any adjacent observable National *[Geographic] Spatial* Reference System *[(NGRS)]* (NSRS) and/or Missouri Geographic Reference System (MO GRS) station located five kilometers (5 km) or less from any new station.

(2) At least three (3) existing higher or equal order control points must be included in any proposed Global Positioning System (GPS) survey. Whenever possible these should be three (3) *[3-d] three- (3-) dimensional* control *[points] stations*. Otherwise two (2) sets of three (3) *[points] stations*, (three (3) *[2-d] two- (2-) dimensional* horizontal *[points] stations* and three (3) vertical control *[points] stations*) must be used. These control *[points] stations* should be chosen to be roughly equidistant on the periphery of the *[network] proposed project* so that they enclose as much of the *[proposed network] project* as possible.

(3) Each new *[point] station* to be established by the proposed GPS survey must be occupied at least two (2) separate times to enable proper checking of blunders (for example, incorrect point, setup errors, incorrect antenna heights). A separate occupation is one *[where] in which* the antenna *[has]* and its supporting device (tripod) have been taken down and set up again and the receiver restarted.

(4) Each *[point] station* must be connected by simultaneous occupations *[(that is, base line)]* (baselines) to at least three (3) other *[points] stations* in the network after outlier *[base lines] baselines* have been rejected from the adjustment. Because it is generally easier to resolve the integer phase ambiguities over shorter base line, adjacent *[points] stations* should be connected wherever possible.

(8) A detailed field log must be kept during observation taken at each station. At the very least the following information must be recorded:

(A) Universal Time *[Correction]* **Coordinated** (UTC) date of observations;

(F) Antenna height and offset from monument, if any, to one millimeter (1 mm). Note should be made *[of any deviation from standard method of measuring H]* **as to whether the height is measured as a slant height or vertical height**;

(K) Completed field log data forms for each station occupation will be submitted either using those provided by the Missouri Department of *[Natural Resources (DNR)]* **Agriculture (MDA)** or some other type containing all necessary information *[found]* **included** on the *[DNR]* **MDA** forms.

(9) The raw data files for all station occupations must be submitted. Each file~~,~~ *called an R-file,* will consist of one (1) set of raw observations for each station occupation session. For example, four (4) receivers operating during each of five (5) sessions will produce twenty (20) *[R-files]* **raw data files**. *[An example of a raw data file would be the DAT, ION, MES, and EPH files produced by a Trimble receiver during a station occupation.]*

(10) The unadjusted *[base line]* **baseline** vector solution files for all observed *[base lines]* **baselines**, non-trivial and trivial, will be submitted. *[These files are produced by post-processing software such as the OPT or FIX, FLT, and TRP files produced by Trimvec post-processing software.]*

(11) If station description information is not provided by *[DNR]* **MDA**, it must be submitted for each station occupied. Station descriptions must include station name, county, township, range, section, United States Geological Survey (USGS) 7.5~~'~~*]-minute* **quadrangle** name, date monumented, date of observations, complete descriptions of the station, azimuth and all reference monuments, a current "to reach" description, and any special information such as property owner name, address, and phone number. A sketch depicting the station and reference marks with dimensions and directions shown should accompany all narrative data. Examples of complete station description information may be obtained from *[DNR]* **MDA**.

(15) A minimally constrained (free) least squares, three- **(3-)** dimensional *[(3-d)]* adjustment will be submitted in the form of the input and output files.

AUTHORITY: *section[s] 60.451.3. [and 60.461], RSMo [1986] 2016. Rule originally filed as 10 CSR 30-4.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

*[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey
Chapter 4—First and Second Order Horizontal and
Vertical Control]*

*Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection*

*Chapter 62—First and Second Order Horizontal and
Vertical Control*

PROPOSED AMENDMENT

[10 CSR 30-4.060] 2 CSR 90-62.060 **Traverse Survey Guidelines**. The division is moving the rule and amending sections (1) and (2).

PURPOSE: *The division is amending this rule to modernize the language and terms in this rule.*

(1) First Order Traverse Procedure.

(B) All first order traverse lines shall start from, and close upon, first order stations **or higher order stations** of the Missouri Geographic Reference System (MO GRS) or National *[Geographic]* **Spatial Reference System** *[(GRS)]* (NSRS) in accordance with these procedures.

(C) Properly maintained theodolites with a least count of one second (1") or a *[din rating]* **DIN 18723 specification** of one and one-half seconds (1.5") or *[better]* **smaller** shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be used to measure all distances. *[Electronic Distance Meter (EDM)]* **EDM** instruments shall be tested on an *[DNR]* **MDA** *[base line]* **baseline** at the start of and on the completion of any first *[or second]* order traverse. Copies of the EDM *[calibrations]* **baseline comparisons** shall be *[provided to the department]* **included** in the survey report **submitted to the department**. Barometric pressure to **the nearest** five millimeters (5 mm) of mercury and temperature to **the nearest** one degree Celsius (1°C) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of two (2) bench marks. Trig~~.~~*l.* **Jonometric** or spirit leveling will be observed along all traverse lines. All *[HI's, HO's]* **Instrumental Heights (HI), Reflector Height (HO)**, and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every six (6) segments along the line. Astronomic azimuths shall have a standard deviation of one and one-half seconds (1.5") or *[better]* **less**.

(G) All field data shall be submitted to Missouri Department of *[Natural Resources (DNR)]* **Agriculture (MDA)** in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

(2) Second Order Traverse Procedure.

(B) All second order traverse lines shall start from and close upon~~,~~ second order or higher **order** stations of the MO GRS or *[NGRS]* **NSRS** in accordance with these procedures *[or shall be run in closed circuits]*.

(C) Properly maintained theodolites with a least count of one second (1") or *[din]* **DIN 18723 specification** of one and one-half seconds (1.5") or *[better]* **smaller** shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be

used to measure all distances. EDM instruments shall be tested on an *[DNR] MDA [base line] baseline* at the start of and on the completion of any *[first] second* order traverse. Copies of the EDM *[calibrations] baseline comparisons* shall be *[provided to the department] included* in the survey report **submitted to the department**. Barometric pressure to **the nearest** five millimeters (5 mm) of mercury and temperature to **the nearest** one degree Celsius (1°C) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of (two) 2 bench marks. Trig/.*onometric* or spirit leveling will be observed along all traverse lines. All HI/'s], HO/'s], and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every eight (8) segments along the line. Astronomic azimuth shall have a standard deviation of two seconds (2") or *[better] less*.

(G) All field data shall be submitted to the *[DNR] MDA* in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

AUTHORITY: section[s] 60.451.3. *[and 60.461]*, RSMo *[1986] 2016*. Rule originally filed as 10 CSR 30-4.060. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved and amended: Filed Dec. 1, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 30—Land Survey

Chapter 4—First and Second Order Horizontal and Vertical Control

PROPOSED RESCISSION

10 CSR 30-4.070 Waiver of 1 Km Limitation. This rule defined conditions for which the 1 km limitation may be waived.

PURPOSE: This rule is being rescinded because modern-day GPS and technology has rendered this rule moot and obsolete.

AUTHORITY: sections 60.451.3. and 60.461, RSMo 1986. Original rule filed May 3, 1994, effective Dec. 30, 1994. Rescinded: Filed Dec. 1, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, PO Box 630, Jefferson City, MO 65102. Hand carried copies may be delivered to the Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Mr. Ronald G. Hayes, Division Director, 1616 Missouri Blvd., Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects

Chapter 16—Missouri *[Minimum]* Standards for Property Boundary Surveys

PROPOSED AMENDMENT

20 CSR 2030-16.010 Application of Standards. The board is amending the header, purpose statement, and the text of the rule.

PURPOSE: This rule is being amended to reflect modern day practice and terminology.

PURPOSE: These *[minimum]* standards provide the **professional land** surveyor and recipient of boundary surveys with a realistic guideline for adequate survey performance. This rule describes the types of surveys to which these *[minimum]* standards apply.

The *[minimum]* standards in this chapter apply to all property boundary surveys made for determining the location of land boundaries and land boundary corners, but do not apply to preliminary plats or plans, plot plans, *[engineering] design* surveys; geodetic surveys; or cartographic surveys[, or Surveyor's Real Property Report]. Any individual or corporation *[registered] licensed* with the board to perform land surveying services in this state shall be familiar with and comply with these *[minimum]* standards. The Missouri *[Minimum]* Standards for Property Boundary Surveys are not intended to be used in place of professional land surveying *[judgement] judgment*. There may be special circumstances and conditions that make it impractical to comply with some provisions of the *[minimum]* standards. If the survey deviates from these *[minimum]* standards, this deviation shall be noted, described, and justified on the plat of survey by the professional land surveyor. This provision cannot be used to intentionally circumvent the basic tenets of these *[minimum]* standards.

AUTHORITY: sections 327.041 and 327.272, RSMo *[Supp. 1993] 2016*. This rule originally filed as 4 CSR 30-16.010. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-16.010, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.020 Definitions. This rule defined the various technical and legal terms used in this chapter.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.020, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.020 Definitions

PURPOSE: This rule defines the various technical and legal terms used in this chapter.

(1) **Condominium Survey**—A property boundary survey that creates and defines condominium property in accordance with Chapter 448, RSMo.

(2) **Controlling Corners**—Those corners that determine the location of the exterior corners of the surveyed boundary.

(3) **Exterior Corners**—Corners that define the shape and size of the parcel.

(4) **Material Variations**—The differences between surveyed lines and lines of possession or measurements called for in the record source of the property being surveyed that are, in the professional judgment of the professional land surveyor, significant enough to warrant particular notice.

(5) **Original Survey**—A survey which creates a new parcel, or parcels, out of a larger parent tract.

(6) **Physical Monument**—Natural or artificial objects which are accepted and used to mark boundaries and corners.

(7) **Positional Uncertainty**—The positive and negative range of values expected for a computed horizontal position as a result of random errors.

(8) **Property Boundary Survey**—Any survey that creates, defines, marks, remarks, retraces, or reestablishes the boundaries of parcels of real property or the subdivision of lands.

(9) **Property Description**—A description of the limits of real property by recitation of metes and bounds or by an aliquot part of the United States Public Land Survey System or by lot or parcel designation referenced to a subdivision, survey, or other document recorded in the public records.

(10) **Random Errors**—Unavoidable errors in measurement that are caused by the inability of the operator to make exact measurements. (Random errors generally follow statistical principles and can be reduced with care in measurement, but can never be completely eliminated.)

(11) **Record Title Boundaries**—The limits of real property ownership as evidenced and provable by one (1) or more written means of real property transfer and having provided constructive notification by being duly entered into the public records.

(12) **Rural Property**—Any property that is not urban property.

(13) **Subdivision**—A property boundary survey that partitions land into two (2) or more parcels by platting the divisions of land in accordance with Chapter 445, RSMo.

(14) **Systematic Errors**—Errors in measurement that conform to mathematical and physical laws and remain the same under set conditions. Systematic errors are detectable and can be removed by ensuring the proper adjustment of equipment, by applying appropriate corrections to observations, and by using appropriate observation techniques to eliminate the effects of imperfection in equipment manufacture.

(15) **United States Public Land Survey Corners**—Those points that determine the boundaries of the various subdivisions of the United States Public Land Survey as set forth in section 60.301(1), RSMo.

(16) **Urban Property**—Any property that is located wholly or partly within the corporate limits of any municipality or any commercial, industrial, or multi-unit developmental property.

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.020, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.030 General Land Surveying Requirements. This rule described standards that apply to all property boundary surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.030. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.030, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.030 General Land Surveying Requirements

PURPOSE: This rule sets forth standards that apply to all property boundary surveys.

(1) Records Research.

(A) Every survey executed shall be based on the property description of the parcel or parent tract taken from the public records; and

(B) Prior to performing the fieldwork, the professional land surveyor shall acquire sufficient data to ascertain the record title boundary of the parcel(s) to be surveyed (such as, adjoining deeds, maps, right-of-way plans, subdivision plats, original plats and notes, and subsequent surveys). This requirement does not obligate the professional land surveyor to search the entire chain of title.

(2) Field Investigation. The professional land surveyor or a person under his/her direct personal supervision shall—

(A) Search thoroughly for monuments and accessories at the necessary controlling corners and any other physical evidence that may be required to define the location of the exterior corners of the parcel surveyed (such as location of streets, roads, lines of occupation, and parole information);

(B) Obtain appropriate and sufficiently redundant measurements to correlate all found evidence;

(C) Evaluate the reliability of the evidence and monuments found and apply the proper theory of location in accordance with surveying precedent; and

(D) Reach a conclusion on the location of the boundary and set monuments as defined herein.

(3) Monumentation.

(A) The professional land surveyor shall establish semi-permanent or confirm existing monuments at every exterior corner of the tract being surveyed, except for lines running along streams or lakes where witness monuments must be set along the connected sidelines. When it is impractical to set a monument at a required corner, a witness monument shall be set along a line of the survey or the prolongation thereof;

(B) Existing monuments shall be evaluated for permanency by the professional land surveyor. Those needing restoration, preservation, or replacement shall receive the due care necessary to ensure that their permanency is secured in accordance with the requirements set forth herein;

(C) Additional Monumentation for Subdivision Surveys.

1. In addition to meeting the requirements set forth above, the professional land surveyor shall, prior to the recording of the subdivision plat, establish at least two (2) permanent monuments for every four (4) acres of land developed by the subdivision. This requirement is waived if the survey does not create more than four (4) lots or parcels.

2. The permanent monuments required in paragraph (3)(C)1. shall be set prior to the recording of the plat or, if likely to be destroyed by construction, may be installed upon completion of the construction and must be set no later than twelve (12) months after the recording of the plat. The professional land surveyor shall also monument all lot corners in the subdivision with semi-permanent or witness monuments within the same twelve- (12-) month period.

3. When the subdivision is a cemetery, the requirements of paragraph (3)(C)1. for installation of permanent monuments shall be increased to include four (4) permanent monuments per block, and the monumentation of all lot corners required in paragraph (3)(C)2. shall not be required; and

(D) Condominium surveys shall meet the requirements for subdivisions.

(4) Publication of Results. A plat shall be made showing the results of the survey or subdivision and shall conform to all of the following provisions:

(A) The plat shall include a drawing that shall be made to a convenient scale on a reasonably permanent and dimensionally stable material;

(B) The plat shall include the name of the person or entity for whom the survey was made and the date of the survey;

(C) Lettering shall be no less than eight-hundredths of an inch (0.08") in height. All characters shall be open, well-rounded, and of uniform width;

(D) The direction of boundary lines shall be shown by angles, azimuths, or bearings with the directional reference system clearly described on the plat;

(E) A north arrow, a written scale, and a graphic scale shall be shown on every sheet containing graphic survey data;

(F) Complete dimensions (distances, directions, and curve data) of all parcels surveyed or created. All linear measurements shall be shown as horizontal distances at the ground surface in feet or meters. Curved lines shall show at least two (2) elements. For non-tangential curves, a directional component shall be included to help define the direction of the curve (preferably the chord bearing);

(G) All vertical measurements shall be shown as elevations above an established or assumed datum in feet or meters. When elevations are shown, a clearly defined elevation datum shall be shown, including the location and elevation of the benchmark used to establish the project datum;

(H) Measurements and calculated areas will be shown on the plat to a number of significant figures representative of the actual precision of the measurements;

(I) The plat shall display either a property description for the parcel(s) and/or parent tract surveyed or a reference to the source document from which the property description was taken. Any new parcel created by survey shall have its property description shown on the plat and must be complete enough so that the parcel can be located and clearly identified. Subdivision plats shall identify all lots for sale by numbers, as set forth in section 445.010, RSMo;

(J) The plat shall show sufficient data (distances and directions) to positively locate the parcel surveyed within the United States Public Land Survey System (USPLSS) or within the recorded subdivision. If the survey cannot be located by either of the previously mentioned provisions, it must be referenced to other lines and points sufficiently established by record;

(K) All controlling corner monuments that were found and exterior corners that were found or set shall be identified on the plat;

(L) Any material variation between record and measured dimensions, and any material variation and the extent of such variation between surveyed lines and lines of possession at all exterior corners, shall be shown on the plat. Material variation will include, but is not limited to, survey monuments, fences, obvious occupation (i.e., mowed) lines, walls, or other structures whether on the property surveyed or on adjacent property;

(M) The plat shall reference the source document(s) for any pertinent data obtained during the records research provision set forth above. The plat shall also reference the property type (urban or rural);

(N) The identity of the record title documents for adjoining properties, consistent with the records research provision set forth above, shall be shown on the plat, including the record source;

(O) In addition to the above, all condominium surveys shall show

the pertinent information required in section 448.2-109, RSMo, and the legally sufficient descriptions of easements serving or burdening the condominium; and

(P) The plat shall include a statement that the survey and or subdivision were executed in accordance with the Missouri Standards for Property Boundary Surveys as set forth herein. The statement on a condominium plat shall also include a declaration that the plat contains all information required by section 448.2-109, RSMo.

(5) Deliverables. The professional land surveyor shall furnish to the client a plat containing the drawing and other pertinent information identified above. Each sheet of the plat shall bear the signature and seal of the professional land surveyor in responsible charge. This signed and sealed plat shall be the official plat and shall take precedence over any other formatted data that may be delivered to the client or his/her representatives, successors, or assigns.

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.030. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.030, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects

Chapter 16—Missouri Minimum Standards for Property Boundary Surveys

PROPOSED RESCISSION

20 CSR 2030-16.040 Accuracy Standards for Property Boundary Surveys. This rule prescribed the accuracy standards for all property boundary surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.040, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015.

Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.040 Accuracy Standards for Property Boundary Surveys

PURPOSE: This rule sets forth the accuracy standards for all property boundary surveys.

(1) The professional land surveyor shall make an effort to detect and remove systematic errors.

(2) Precision Requirements for Urban Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed fifty parts per million (50 ppm) or one-tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma); and

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed fifty parts per million (50 ppm) or one tenth of a foot (0.10') for distances less than two thousand feet (2,000') at the sixty-eight percent (68%) confidence level (one (1) sigma); and

(3) Precision Requirements for Rural Property.

(A) The uncertainty due to random errors of any dimension of direction or distance shown on the plat shall not exceed one hundred parts per million (100 ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma); and

(B) The positional uncertainty of any coordinates shown on the plat relative to the control that is held fixed, shall not exceed one hundred parts per million (100 ppm) or one tenth of a foot (0.10') for distances less than one thousand feet (1,000') at the sixty-eight percent (68%) confidence level (one (1) sigma).

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective

Oct. 30, 2003. Moved to 20 CSR 2030-16.040, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.050 Use of Missouri Coordinate System, 1983. This rule designated how state coordinates shall be obtained and shown on plats.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 2006. This rule originally filed as 4 CSR 30-16.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-16.050, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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and Professional Landscape Architects**

**Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.050 Use of Missouri Coordinate System of 1983

PURPOSE: This rule sets forth the requirements for referencing land boundary corners to the Missouri Coordinate System of 1983.

(1) When the professional land surveyor is specifically requested or required to reference land boundary corners to the Missouri Coordinate System of 1983, the professional land surveyor shall comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 20 CSR 2030-18.020) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards for property boundary surveys set forth in this chapter; and

(C) The plat or other publication of results shall identify the geodetic control station(s) that were used to determine the position of the corner(s), along with a list of the coordinates of those control station(s); the appropriate adjustment date or realization designation on the North American Datum of 1983, along with the epoch date, when applicable; a brief statement of the method used to obtain those positions; and the grid factor used.

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-16.050, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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and Professional Landscape Architects**

**Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.060 Approved Monumentation. This rule prescribed the approved type of monumentation to be used on property boundary surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.060. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.060, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 20—DEPARTMENT OF INSURANCE,
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and Professional Landscape Architects**

**Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.060 Approved Monumentation

PURPOSE: This rule prescribes the approved type of monumentation to be used on property boundary surveys.

(1) The professional land surveyor shall select a type of monument providing a degree of permanency consistent with that of the adjacent terrain and physical features and as required by these standards. All monuments shall be solid and free from movement. They shall be set in the ground at least to the depth of the length given unless they are encased in concrete. With the exception of drill holes and cut crosses, the precise position of the corner shall be marked by a point on a cap and the cap shall be inscribed with the licensure number of the professional land surveyor in responsible charge or the corporate licensure number or name of the company.

(2) Permanent monuments shall be selected from the following:

(A) Concrete monuments consisting of reinforced concrete at least four inches (4") square or in diameter and no less than twenty-four inches (24") in length with its precise position marked by a point on a brass or aluminum cap not less than one and one-half inch (1 1/2") in diameter;

(B) Commercial cast iron or aluminum survey markers no less than twenty-four inches (24") in length. Nonferrous markers shall have ceramic magnets attached to aid in recovery;

(C) Steel, coated steel, or aluminum rod markers not less than five-eighths inch (5/8") in diameter, iron pipe markers not less than three-quarter inch (3/4") inside diameter, and not less than twenty-four inches (24") in length. These monuments shall have a permanently attached cap of the same metal or of a dissimilar metal if the metals are insulated with a plastic insert to reduce corrosion. Nonferrous rod markers shall have ceramic magnets attached to aid in recovery; and

(D) Brass or aluminum disks not less than two inches (2") in diameter, countersunk and well-cemented in a drill hole in either solid rock or concrete. Ceramic magnets shall be attached or installed with the disk to aid in recovery.

(3) Semi-permanent monuments shall be selected from the following:

(A) Iron pipe markers not less than three-fourths inch (3/4") outside one-half inch (1/2") inside diameter, at least eighteen inches (18") in length, and having a plastic or metal cap;

(B) Steel or aluminum rod markers not less than one-half inch (1/2") in diameter, not less than eighteen inches (18") in length, and having a plastic or aluminum cap;

(C) A cross-cut or drill hole in concrete, brick, stone paving, or bedrock at the precise position of the corner or on a prolongation of a boundary line; and

(D) In asphalt paving, cotton picker spindles, railroad spikes (center punched or chiseled cross), semi-permanent one-half inch (1/2") rebar, and magnetic spikes (minimum of eight inches (8") in length) that are solid and not easily removed or destroyed.

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.060. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.060, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and Readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.070 Detail Requirements for Resurveys. This rule

provided specific detail requirements that applied only to resurveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. As a result, this rule is being rescinded.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.070. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.070, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
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**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.080 Detail Requirements for Original Surveys. This rule provided specific detail requirements that applied only to original surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. As a result, this rule is being rescinded.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.080. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.080, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 200-16.090 Detail Requirements for Subdivision Surveys. This rule provided specific detail requirements that applied to subdivision surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. As a result, this rule is being rescinded.

AUTHORITY: section 327.041, RSMo Supp. 2002. This rule originally filed as 4 CSR 30-16.090. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed March 20, 2003, effective Oct. 30, 2003. Moved to 20 CSR 2030-16.090, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
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**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.100 Detail Requirements for Condominium Surveys. This rule provided specific detail requirements that applied to condominium surveys.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. As a result, this rule is being rescinded.

AUTHORITY: section 327.041, RSMo Supp. 2006. This rule originally filed as 4 CSR 30-16.100. Original rule filed May 3, 1994, effective Dec. 30, 1994. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Minimum Standards for
Property Boundary Surveys**

PROPOSED RESCISSION

20 CSR 2030-16.110 Location of Improvements and Easements. This rule designated how and what improvements and easements were to be located and shown on a property boundary survey.

PURPOSE: During the 2013 legislative session, the Missouri General Assembly passed HB 650 and HB 28, which moved the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture. This rule is being rescinded and readopted to bring the rule into compliance with the legislative change.

AUTHORITY: section 327.041, RSMo Supp. 1993. This rule originally filed as 4 CSR 30-16.110. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-16.110, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 16—Missouri Standards for Property
Boundary Surveys**

PROPOSED RULE

20 CSR 2030-16.110 Location of Improvements and Easements

PURPOSE: This rule sets forth how and what improvements and easements are to be located and shown on a property boundary survey.

(1) When the professional land surveyor is specifically requested by the client to locate the improvements on the property surveyed, the professional land surveyor shall locate by measurement all permanent structures having fixed foundation, slabs, or footings and shall reference them to the property boundary on the plat with a minimum of three (3) dimensions. Dimensions shall be parallel, perpendicular, or radial to the property lines.

(2) When the professional land surveyor is specifically requested by the client to show easements on a property boundary survey, he/she shall show by graphic representation all easements appearing on the recorded subdivision plat and all easements provided to the professional land surveyor by the client. If the professional land surveyor is specifically requested by the client to locate any easements on the ground, he/she will do so in accordance with the standards defined herein.

AUTHORITY: sections 327.041 and 327.272, RSMo 2016. This rule originally filed as 4 CSR 30-16.110. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-16.110, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded and readopted: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 17—United States Public Land Survey Corners**

PROPOSED AMENDMENT

20 CSR 2030-17.010 Definitions. The board is adding new section (8), deleting section (10), and amending sections (1), (3), (7), (9),

and (10).

PURPOSE: This rule is being amended to add clarity to the definitions listed.

(1) Alteration of a corner, *[the]* changing *[of]* the physical monumentation of *[the]* a corner or **adding witness** accessories.

(3) Date of the field work, *[is]* the date on which the monument was physically *[placed in the ground]* **altered or removed and referenced.**

(7) Reestablishment of a corner, the *[re]*monumentation of a lost corner *[using statutory procedures]* whose position has been determined by proportionate measurement.

(8) Reference monument, a monument set in such a manner and location that the position of the actual corner can be located from it by direction and distance or by two (2) distances when two (2) reference monuments are set.

*[[8]](9) Removal of a corner, the complete elimination of *[the]* an existing corner monument *[because of construction, clearing or similar operations].**

*[[9]](10) Restoration of a corner, the *[remonumentation]* alteration of an existent *[or obliterated]* corner *[from survey records, physical evidence or by testimony].**

[[10)] Suitable reference monuments, monuments set in such a manner and position that the corner which is referenced could be located by angle and distance or by two (2) distances from these monuments.]

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 2005] 2016. This rule originally filed as 4 CSR 30-17.010. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2030-17.010, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 17—United States Public Land Survey Corners**

PROPOSED AMENDMENT

20 CSR 2030-17.020 Authorization for Removal or Alteration of Corners. The board is amending the rule title, purpose statement,

and text of the rule.

PURPOSE: *This rule is being amended to come into compliance with HB 650 which was passed in 2013 moving the State Land Surveyor's office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture.*

PURPOSE: *This rule [defines a procedure] identifies who is authorized to alter or remove a [government] corner of the United States Public Land Survey and how to obtain [approval of] permission from the Department of [Natural Resources] Agriculture.*

[All persons wishing] Only a professional land surveyor is authorized to remove, [or] alter, restore, or reestablish a corner of the United States Public Land Survey. [shall employ a registered land surveyor to establish suitable reference monuments and] Any professional land surveyor who removes, alters, restores, or reestablishes a corner of the United States Public Land Survey shall [file] report his actions by filing an approved document [showing the reference monument or alteration] with the Missouri Department of Agriculture, Land Survey Program within ninety (90) days from the date of the field work. The permission required by section 60.550, RSMo, is granted upon filing the approved document with the Missouri Department of [Natural Resources] Agriculture Land Survey Program.

AUTHORITY: *sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-17.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.020, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2030—Missouri Board for Architects,
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and Professional Landscape Architects
Chapter 17—United States Public Land Survey Corners**

PROPOSED RESCISSION

20 CSR 2030-17.030 Reestablished or Restored Corners. This rule prescribed the time frame for filing documentation on restored or reestablished corners.

PURPOSE: *This rule is being rescinded because it is repetitive of board rule 20 CSR 2030-17.020.*

AUTHORITY: *section 327.041, RSMo Supp. 1993. This rule originally filed as 4 CSR 30-17.030. Original rule filed May 3, 1994,*

effective Dec. 30, 1994. Moved to 20 CSR 2030-17.030, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2030—Missouri Board for Architects,
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and Professional Landscape Architects
Chapter 17—United States Public Land Survey Corners**

PROPOSED AMENDMENT

20 CSR 2030-17.040 Procedure for Filing Documents. The board is amending the purpose statement, and sections (1), (2), and (4).

PURPOSE: *This rule is being amended to come into compliance with HB 650, which was passed in 2013 and moves the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture.*

PURPOSE: *This rule describes the procedure for filing certified land corner [restoration or reestablishment] documents with the Department of [Natural Resources] Agriculture.*

(1) Approved documents shall be filed with the Department of [Natural Resources] Agriculture, [Division of Geology and] Weights, Measures and Consumer Protection Division, Land Survey Program, P.[.] O.[.] Box [250] 937, Rolla, MO [65401] 65402-0937. Documents filed with the county recorder must first be filed with the Department of [Natural Resources] Agriculture.

(2) [Restoration/Reestablishment] Certified Land Corner Document and Resident Witness Affidavit forms may be obtained in a reasonable number from the Department of [Natural Resources] Agriculture, [Division of Geology and] Weights, Measures and Consumer Protection Division, Land Survey Program, P.[.] O.[.] Box [250] 937, Rolla, MO [65401] 65402.

(4) Filing of corner documentation with the Department of [Natural Resources] Agriculture does not create an implied warranty by either the professional land surveyor or the Department of [Natural Resources] Agriculture as to conclusive evidence of the corner location.

AUTHORITY: *sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-17.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.040, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 17—United States Public Land Survey Corners

PROPOSED AMENDMENT

20 CSR 2030-17.050 Monumentation. The board is amending sections (1), (2), (3), (4), and (6).

PURPOSE: *This rule is being amended to reflect modern-day practice and terminology.*

(1) All corner **monuments**, witness **monuments**, and reference monuments shall be permanent monuments of a type providing a degree of permanency consistent with that of the adjacent terrain and physical features. Monuments *[will]* **shall** meet the requirements for a permanent monument in accordance with *[20 CSR 2030-16.060]* **the Missouri Standards for Property Boundary Surveys.**

(2) In such cases where the placement of a required corner monument at its proper location is impractical, it shall be permissible to set a reference or witness monument or mark near that point, and if such reference monument or mark is set, its location shall be properly shown on the **certified land corner** document~~[ation]~~.

(3) All monuments shall be marked and designated in accordance with *[20 CSR 2030-17.060.]* **the Bureau of Land Management (BLM) system of marking monuments that furnishes ready identification of the position of the monument which bears the mark. Letters and numerals should be carefully stamped with three-sixteenths inch (3/16") or one-eighth inch (1/8") steel dies and should always be made to read from the south. Lines and crosses should be made with a sharp cold chisel. The precise position shall be marked by a point, cross, or appropriate symbol on the monument.**

(4) Where possible, four (4) reference ties (distance and/or direction) to durable objects will be made to provide the means for *[relocating]* **restoring the position of** the marked corner if the monument is disturbed. Durable objects include, but are not restricted to: house corners *[(fully describe)]*, marks on concrete structures or pavement, marks on ledge or bedrock, trees, additional permanent monuments, fence posts, utility poles, and crosses on curbs. **All durable objects and reference ties shall be fully described on the document.**

(6) At locations where a stone, iron pin, pipe, or other monument is to be replaced by a permanent monument, the existing monument will be removed and buried or placed alongside the permanent monument. *If there is an "X" or other mark on the old monument, it should be buried facing down or on its side so as/ in such a manner that it will not [to] be confused with the permanent monument.*

AUTHORITY: *sections 327.041 and 327.272, RSMo [Supp. 2006] 2016. This rule originally filed as 4 CSR 30-17.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.050, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 17—United States Public Land Survey Corners

PROPOSED RESCISSION

20 CSR 2030-17.060 Monument Marking. This rule prescribed a uniform procedure for marking corner monuments.

PURPOSE: *This rule is being rescinded since its content has been added to section (3) of board rule 20 CSR 2030-17.050 titled Monumentation.*

AUTHORITY: *section 327.041, RSMo Supp. 1993. This rule originally filed as 4 CSR 30-17.060. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.060, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.*

PUBLIC COST: *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must*

be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

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Chapter 17—United States Public Land Survey Corners**

PROPOSED AMENDMENT

20 CSR 2030-17.070 Missouri Coordinate System[,] of 1983. The board is amending the rule title, purpose statement, and sections (1), (2), and (3)

PURPOSE: This rule is being amended to clarify the specific information to be included on the Certified Land Corner Document form.

PURPOSE: This rule prescribes the [use of] requirements for referencing corners of the United States Public Land Survey to the Missouri Coordinate System of 1983 [in special situations].

(1) When the corner that is [reestablished or] removed, altered, restored, or reestablished is [part of a survey to create a subdivision and if that subdivision is] required to be [tied] referenced to the Missouri Coordinate System of 1983, the corner [shall also be tied to the Missouri Coordinate System of 1983 and the] coordinates shall be shown on the [Restoration/Reestablishment] Certified Land Corner Document form.

(2) [State coordinates to be] Coordinates referenced to the Missouri Coordinate System of 1983 and shown on [restoration] Certified Land Corner Document forms shall [be in accordance with 20 CSR 2030-16.050.] comply with the following requirements:

(A) The position of the corner shall be based upon a geodetic control station having a horizontal accuracy of second order (as defined in 20 CSR 2030-18.020) or higher order;

(B) The survey connecting the corner to the geodetic control station shall meet the accuracy standards set forth in the Missouri Standards for Property Boundary Surveys; and

(C) The following information shall be included on the Certified Land Corner Document form:

1. The geodetic control station(s) that were used to determine the position of the corner;

2. The coordinates of the geodetic control station(s) used and the appropriate Zone designation;

3. The appropriate adjustment date or realization designation on the North American Datum of 1983 along with the epoch date, when applicable;

4. A brief statement of the method used to obtain the position; and

5. The grid factor used.

(3) [State coordinates] Coordinates referenced to the Missouri Coordinate System of 1983 may be used to reference corners in lieu of monuments.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 2006] 2016. This rule originally filed as 4 CSR 30-17.070. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.070, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 17—United States Public Land Survey Corners**

PROPOSED AMENDMENT

20 CSR 2030-17.080 Approved Documents. The board is amending the purpose statement, and sections (1) and (2).

PURPOSE: This rule is being amended to reflect the combination of the land corner restored and reestablishment forms into one (1) form titled Certified Land Corner Document.

PURPOSE: This rule prescribes the form of the document to be [registered] filed with the Department of [Natural Resources] Agriculture.

(1) An approved document may be [any] either one (1) of the following:

(A) Certified Land Corner [Restoration] Document form [(for restoration and alteration of existing corners and for referencing of corners to be destroyed)]; or

[(B) Certified Land Corner Reestablishment form (for reestablished corners); and]

[(C)](B) Special form approved by the Missouri Department of [Natural Resources] Agriculture.

(2) Preparation of [Restoration or Reestablishment] Certified Land Corner Document Forms. All information (except drawings)[,] will be typed or completed in black ink. Lettering or typing shall not be less than eight-hundredths inch (0.08") in height. Drawings may be made in black pencil so long as all drawings will make sharp and clear copies.

(A) The following information shall be [given] included on all corner forms:

1. The description of the original monument, witness ties, and any subsequent restorations [(including book and page, or microfilm location and date).], including the date of the survey, the document reference (book and page and/or microfilm location), and the professional land surveyor of record. Original survey notes need not be given in urban or built-up areas;

2. Signature and seal of the [registered] professional land surveyor;

3. Date of the survey field work;

4. Basis of bearing system used;

5. Description of the monument, monument marking, and witness/reference ties;

6. Comprehensive sketch of the corner location sufficient to find the monument; and

7. *[State coordinates]* **Coordinates referenced to the Missouri Coordinate System of 1983**, if known.

(B) The following additional information is required for forms showing the restoration or alteration of existing corner monuments:

1. Description of the evidence found *[to show that the corner is an existing corner position]* **indicating the corner is existent**;

2. Resident witness affidavits when the corner is restored from testimony; **and**

3. Distances and directions used to retrace prior evidence.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] **2016.** This rule originally filed as 4 CSR 30-17.080. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-17.080, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 18—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

20 CSR 2030-18.010 Definitions. The board is amending sections (1) and (2).

PURPOSE: This rule is being amended to provide more clarity to the definitions of positional accuracy and relative accuracy.

(1) Positional accuracy of a station is the *[accuracy]* **uncertainty in the position** of the station *[related]* **relative** to the *[reference]* stations that are held fixed (i.e., National Geodetic Survey (NGS) or other higher order stations) in the process of the adjustment. Positional accuracy of a station is computed from the constrained, correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

(2) Relative accuracy is the *[relative]* **uncertainty in the position** of one station *[with respect]* **relative** to another station. It is computed for all directly connected stations from the minimally constrained, and the constrained correctly weighted, least squares adjustment at the ninety-five percent (95%) confidence level.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 2005]

2016. This rule originally filed as 4 CSR 30-18.010. Original rule filed May 3, 1994, effective Dec. 30, 1994. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2030-18.010, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 18—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

20 CSR 2030-18.020 Horizontal Control Classification. The board is amending sections (1), (2), and (3).

PURPOSE: This rule is being amended to replace the word “Geodetic” with “Spatial” and to clarify the intended use of the Missouri Geographic Reference System and/or the National Spatial Reference System.

(1) First Order Horizontal Control Classification. The purpose of this class of survey is to establish *[the]* primary horizontal control *[station of]* **for** the Missouri Geographic Reference System or the National *[Geodetic]* **Spatial** Reference System.

(2) Second Order Horizontal Control Classification. The purpose of this class of survey is to establish secondary and supplemental horizontal control stations of the Missouri Geographic Reference System or the National *[Geodetic]* **Spatial** Reference System.

(3) Both first and second order stations are dependent stations constrained to the existing first and second order stations of the Missouri Geographic Reference System and/or the National *[Geodetic]* **Spatial** Reference System. These stations are **intended** to be used to meet the needs of mapping, **geographic information systems**, land information systems, property *[boundaries]* **boundary surveys**, and *[engineering]* **design** surveys.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] **2016.** This rule originally filed as 4 CSR 30-18.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.020, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500)

in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 18—First and Second Order Horizontal and
Vertical Control**

PROPOSED AMENDMENT

20 CSR 2030-18.030 Accuracy of Horizontal Control. The board is amending sections (1)–(4).

PURPOSE: This rule is being amended for clarity and to change reference from the Missouri Department of Natural Resources and the United States Coast and Geodetic Survey to the Missouri Department of Agriculture and the National Geodetic Survey or its successor organization.

(1) The accuracy of a horizontal control station is classified according to constrained and unconstrained, relative accuracy of the distance between *[the]* stations, and the positional accuracy of the station relative to the *[known]* stations **held fixed in the adjustment**. *[The failure to meet any of the three criteria shall cause the station to not meet the classification.] If the requirements for all three (3) criteria are not satisfied, the station shall fail to qualify for the classification.*

(2) First Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent *[points]* stations shall be equal to or less than twelve millimeters (12 mm) for distances equal to or less than one kilometer (1 km) and ten parts per million (10 ppm) for distances greater than one kilometer (1 km).

(3) Second Order Horizontal Control.

(A) The relative accuracy of the distance between directly connected adjacent *[points]* stations shall be equal to or less than twenty-five millimeters (25 mm) for distances equal to or less than one kilometer (1 km) and twenty parts per million (20 ppm) for distances greater than one kilometer (1 km).

(4) To fully qualify as a first or second order control station, the station must be accepted and published by the Missouri Department of *[Natural Resources]* **Agriculture** or the *[United States Coast and]* **National Geodetic Survey or its successor organization**.

AUTHORITY: sections 327.041 and 327.272, RSMo *[Supp. 1993]* 2016. This rule originally filed as 4 CSR 30-18.030. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.030, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 18—First and Second Order Horizontal and
Vertical Control**

PROPOSED AMENDMENT

20 CSR 2030-18.040 Acceptance and Publication by *[DNR]* Missouri Department of Agriculture. The board is amending the rule title, and sections (1), (2), (3), (5), (6), and (7).

PURPOSE: This rule is being amended to reflect publication by the Missouri Department of Agriculture instead of the Missouri Department of Natural Resources.

(1) The following information will be submitted for each control survey that is to be evaluated for inclusion into the Missouri Geographic Reference System (MO GRS) as a first or second order station.

(C) A north arrow and graphic scale should appear on the sketch. All station symbols should be labeled with the station name *[with an inset used]*. *[w/]*When stations are spaced too closely together to be clearly depicted on the network sketch, **an inset shall be used**.

(2) A report shall be submitted for each project and shall be signed and sealed by the **professional land** surveyor or **professional engineer** in responsible charge. The report shall be the main source of information for judging whether or not the stations should be accepted as MO GRS stations. It shall be the responsibility of the **professional land** surveyor or **professional engineer** to supply sufficient information in the report to facilitate inclusion of the stations in the MO GRS.

(3) The report shall contain a clear description of the survey procedures and equipment used in the field. This includes, but is not limited to, the information entered into the field log and auxiliary information such as logistics, preanalysis *[and]* satellite selection results (if Global Positioning System (GPS) survey), personnel involved, and difficulties encountered.

(5) The following shall be included for GPS surveys. The version number and date of the GPS software used must be reported. For GPS surveys, the **professional land** surveyor or **professional engineer** must also specifically report the baselines rejected for the project. All parameters used for any coordinate transformations shall be presented and any scaling of the covariance matrix by the **professional land** surveyor or **professional engineer** must be described in detail. If the covariance matrix has been scaled, the scale factor used

must also be presented. These results must be reported for all single base line and network solutions. Statistical testing of the survey results from the network solution, including analysis of variance factors, semi-major axis of *[2-d] two- (2-) dimensional* (horizontal) or *[3-d] three- (3-) dimensional (horizontal and vertical)* ninety-five percent (95%) relative confidence regions between all directly connected pairs of *[points] stations*, residuals and residual outliers shall be provided. In addition, the results of any self-validation checks must be reported, including, but not limited to, comparisons of any repeated single base line solutions.

(6) For traverse surveys, all field data used to determine directions, distances, azimuths, and elevations, **as well as** the adjustment calculations, shall be submitted along with the name of the software used in the adjustment. The data submitted shall show the final results of the adjustment and the error analysis.

(7) Only those stations meeting the requirements of *[10 CSR 30-4.030, 10 CSR 30-4.040, 10 CSR 30-4.050 and 10 CSR 30-4.060]* **2 CSR 90-62.030, 2 CSR 90-62.040, 2 CSR 90-62.050, and 2 CSR 90-62.060** will be accepted for publication in the MO GRS.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-18.040. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.040, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 18—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

20 CSR 2030-18.050 GPS Survey Guidelines. The board is amending sections (1), (2), (3), (4), (8), (9), (10), and (11).

PURPOSE: This rule is being amended to reflect modern-day terminology and to be in compliance with HB 650, which was passed in 2013 and moves the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture.

(1) Direct connections must be made to any adjacent observable National *[Geographic]* **Spatial** Reference System (*[NGRS]* **NSRS**)

and/or Missouri Geographic Reference System (MO GRS) station located five kilometers (5 km) or less from any new station.

(2) At least three (3) existing higher or equal order control points must be included in any proposed Global Positioning System (GPS) survey. Whenever possible, these should be three (3) *[3-d] three- (3-) dimensional* control *[points] stations*. Otherwise, two (2) sets of three (3) *[points] stations* (three (3) *[2-d] two- (2-) dimensional* horizontal *[points] stations* and three (3) vertical control *[points] stations*) must be used. These control *[points] stations* should be chosen to be roughly equidistant on the periphery of the *[network] proposed project* so that they enclose as much of the *[proposed network] project* as possible.

(3) Each new *[point] station* to be established by the proposed GPS survey must be occupied at least two (2) separate times to enable proper checking of blunders (for example, incorrect point, setup errors, incorrect antenna heights). A separate occupation is one *[where] in which* the antenna *[has] and its supporting device (tripod) have* been taken down and set up again and the receiver restarted.

(4) Each *[point] station* must be connected by simultaneous occupations (*[that is, base line] baselines*) to at least three (3) other *[points] stations* in the network after outlier *[base lines] baselines* have been rejected from the adjustment. Because it is generally easier to resolve the integer phase ambiguities over shorter base line, adjacent *[points] stations* should be connected wherever possible.

(8) A detailed field log must be kept during observation taken at each station. At the very least the following information must be recorded:

(A) Universal Time *[Correction] Coordinated* (UTC) date of observations;

(F) Antenna height and offset from monument, if any, to one millimeter (1 mm). Note should be made *[of any deviation from standard method of measuring HI] as to whether the height is measured as a slant height or vertical height;*

(K) Completed field log data forms for each station occupation will be submitted either using those provided by the Missouri Department of *[Natural Resources (DNR)] Agriculture (MDA)* or some other type containing all necessary information *[found] included* on the *[DNR] MDA* forms.

(9) The raw data files for all station occupations must be submitted. Each file, *[called an R-file,]* will consist of one (1) set of raw observations for each station occupation session. For example, four (4) receivers operating during each of five (5) sessions will produce twenty (20) *[R-files] raw data files*. *[An example of a raw data file would be the DAT, ION, MES, and EPH files produced by a Trimble receiver during a station occupation.]*

(10) The unadjusted base line vector solution files for all observed *[base lines] baselines*, non-trivial and trivial, will be submitted. *[These files are produced by post-processing software such as the OPT or FIX, FLT, and TRP files produced by Trimvec post-processing software.]*

(11) If station description information is not provided by *[DNR] MDA*, it must be submitted for each station occupied. Station descriptions must include station name, county, township, range, section, United States Geological Survey (USGS) 7.5 *[quad.] minute quadrangle* name, date monumented, date of observations, complete descriptions of the station, azimuth and all reference monuments, a current "to reach" description, and any special information such as property owner name, address, and phone number. A sketch depicting the station and reference marks with dimensions and directions shown should accompany all narrative data. Examples of complete station description information may be obtained from *[DNR] MDA*.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-18.050. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.050, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 18—First and Second Order Horizontal and Vertical Control

PROPOSED AMENDMENT

20 CSR 2030-18.060 Traverse Survey Guidelines. The board is amending sections (1) and (2).

PURPOSE: This rule is being amended to reflect modern day terminology and to be in compliance with HB 650, which was passed in 2013 and moves the State Land Surveyor's Office from the Missouri Department of Natural Resources to the Missouri Department of Agriculture.

(1) First Order Traverse Procedure.

(B) All first order traverse lines shall start from, and close upon, first order stations **or higher order stations** of the Missouri Geographic Reference System (MO GRS) or National *[Geographic]* Spatial Reference System (*[GRS]* NSRS) in accordance with these procedures.

(C) Properly maintained theodolites with a least count of one second (1") or a *[din rating]* **DIN 18723 specification** of one and one-half seconds (1.5") or *[better]* **smaller** shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be used to measure all distances. *[Electronic Distance Meter (EDM)]* instruments shall be tested on a *[DNR]* **Missouri Department of Agriculture (MDA)** base line at the start of and on the completion of any first *[or second]* order traverse. Copies of the EDM *[calibrations]* **base line comparisons** shall be *[provided to the department]* **included** in the survey report **submitted to the department**. Barometric pressure to **the nearest** five millimeters (5 mm) of **mercury** and temperature to **the nearest** one degree Celsius (1°C) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of two (2) bench

marks. *[Trig.]* **Trigonometric** or spirit leveling will be observed along all traverse lines. All **Instrument Heights (HI/'s)**, **Reflector Heights (HO/'s)** and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every six (6) segments along the line. Astronomic azimuths shall have a standard deviation of one and one-half seconds (1.5") or *[better]* **less**.

(G) All field data shall be submitted to **Missouri Department of [Natural Resources (DNR)] Agriculture (MDA)** in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

(2) Second Order Traverse Procedure.

(B) All second order traverse lines shall start from, and close upon, second order or higher **order** stations of the MO GRS or *[NGRS]* **NSRS** in accordance with these procedures *[or shall be run in closed circuits]*.

(C) Properly maintained theodolites with a least count of one second (1") or *[din]* **DIN 18723 specification** of one and one-half seconds (1.5") or *[better]* **smaller** shall be used to observe directions and azimuths. At least four (4) positions or repetitions of the angles shall be observed. The theodolite and targets should be centered to within two millimeters (2 mm) over the survey station or traverse point.

(D) Electronic distance measuring (EDM) instruments shall be used to measure all distances. EDM instruments shall be tested on *[a DNR]* **an MDA [base line] baseline** at the start of and on the completion of any *[first]* **second** order traverse. Copies of the EDM *[calibrations]* **baseline comparisons** shall be *[provided to the department]* **included** in the survey report **submitted to the department**. Barometric pressure to **the nearest** five millimeters (5 mm) of **mercury** and temperature to **the nearest** one degree Celsius (1°C) shall be recorded for each measurement.

(E) Each traverse shall be tied to a minimum of *[two]* (2) bench marks. *[Trig.]* **Trigonometric** or spirit leveling will be observed along all traverse lines. All HI/'s, HO/'s, and zenith angles shall be recorded and submitted.

(F) The traverse shall be controlled by an astronomic azimuth at each end of the traverse line and at not more than every eight (8) segments along the line. Astronomic azimuth shall have a standard deviation of two seconds (2") or *[better]* **less**.

(G) All field data shall be submitted to the *[DNR]* **MDA** in a format acceptable to the department. This shall include directions, distances, azimuth, and elevations.

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-18.060. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.060, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects**

**Chapter 18—First and Second Order Horizontal and
Vertical Control**

PROPOSED RESCISSION

20 CSR 2030-18.070 Waiver of 1 Km Limitation. This rule defined conditions for which the 1 km limitation could be waived.

PURPOSE: This rule is being rescinded because modern-day GPS and technology has rendered this rule moot and obsolete.

AUTHORITY: section 327.041, RSMo Supp. 2006. This rule originally filed as 4 CSR 30-18.070. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-18.070, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 18, 2016.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects**

**Chapter 19—Standards for Surveyor's Real
Property Report**

PROPOSED AMENDMENT

20 CSR 2030-19.020 Required Work Order Form. The board is amending the purpose statement and rule text.

PURPOSE: This rule is being amended to add the words "professional" and "land" in front of surveyor in the purpose statement due to passage of HB 343.

*PURPOSE: This rule states the information given below must be contained in the work order form. The **professional land** surveyor may want to include other data in the form.*

WORK ORDER

Please read carefully and indicate the type of service you wish to order.

. . . Surveyor's Real Property Report: It is a location of improvements and cursory check for encroachments onto or from the subject property based on existing but not confirmed evidence. This does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose. No property corners will be set and it should not be used or relied upon for the establishment of any fence, structure or other improvement. No warranty of any kind is extended therein to the present or future owner or occupant.

. . . Property Boundary Survey with Location of Improvement: A boundary survey of the subject property will be made and the property corners will be located and verified or reset. The improvements on the property will be located and encroachments onto or from the subject property will be determined. This survey can be used by the property owner for the construction of a fence or other improvements. The survey will meet "[*Minimum*] **Missouri** Standards for Property Boundary Surveys."

. . . ALTA/ACSM (American Land Title Association/American Congress on Surveying and Mapping) Land Title Survey: This is the most comprehensive type of survey and improvement location. It covers all the aspects of the boundary survey and improvement location and identification for any additional evidence of possession or use which could be adverse to the interests of the purchaser. This type of survey is normally only performed on commercial property because of the expense involved.

I (We), the undersigned, have read, understand and have indicated the type of service desired and have authorized the work to be performed and agree to be responsible for the bill for this survey.

Borrower/Purchaser _____ Date _____

Lender _____

Ordered by _____

Common address _____

Legal description _____

Signature _____

AUTHORITY: sections 327.041 and 327.272, RSMo [Supp. 1993] 2016. This rule originally filed as 4 CSR 30-19.020. Original rule filed May 3, 1994, effective Dec. 30, 1994. Moved to 20 CSR 2030-19.020, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Nov. 18, 2016.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

(M) Sponsoring institution—The institution that is financially and legally responsible for the nursing program.

AUTHORITY: sections 335.036, 335.200, and 335.203, RSMo 2016. Original rule filed Nov. 21, 2016.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 7—Nursing Education Incentive Program**

PROPOSED RULE

20 CSR 2200-7.001 Definitions

PURPOSE: This rule defines terms used throughout this chapter.

(1) When used in 20 CSR 2200-7, the following terms mean:

(A) Accredited—The official authorization or status granted by an agency for a program or sponsoring institution through a voluntary process;

(B) Approved—Recognized by the board as meeting or maintaining minimum standards for educational programs preparing professional nurses;

(C) Board—Missouri State Board of Nursing;

(D) Campus—A specific geographic program location with a distinct student body and coordinator at which all appropriate services and facilities are provided;

(E) Certification exam—certification by a nationally recognized certifying body. A non-governmental agency recognized by the Missouri State Board of Nursing that validates by examination, based on pre-determined standards, an individual nurse's qualifications and knowledge for practice in a defined functional or clinical area of nursing;

(F) Faculty—Individuals designated by sponsoring institutions with responsibilities for development, implementation, and evaluation of philosophy and/or mission, objectives, and curriculum of the nursing program(s);

(G) National Nursing Accreditation—Accreditation by a national agency specific to nursing education that is recognized by the board;

(H) NCLEX-RN® examination—National Council Licensure Examination for Registered Nurses;

(I) Objectives—Measurable statements describing anticipated outcomes of proposed funding;

(J) Post-licensure—Educational program leading to degree completion of an undergraduate, graduate, or terminal degree in nursing once licensure as a registered nurse has been attained;

(K) Pre-licensure—Initial educational program in nursing leading to entry-level licensure;

(L) Program—Course of study leading to a degree or diploma; and

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 10—Liquefied Petroleum Gases

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.010, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.001 Definitions and General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 939). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Propane Safety Commission received one (1) comment on the proposed amendment.

COMMENT: The Missouri Propane Gas Association supports the addition of this definition which reflects minor changes to the training rule contained in 2 CSR 90-10.012.

RESPONSE: No changes have been made to the amendment as a result of this comment.

Title 2—DEPARTMENT OF AGRICULTURE Division 90—Weights and Measures Chapter 10—Liquefied Petroleum Gases

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.011 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 939-940). No changes have been made in the text of the proposed amendment. However, a new revised public cost has been submitted and is herein printed. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Propane Safety Commission received two (2) comments on the proposed amendment.

COMMENT #1: Robbie Roberts, Bolivar, commented that adopting the 2017 edition of NFPA 58 should include the costs of compliance with the new standard and challenges the private cost of compliance of less than five hundred dollars (\$500).

RESPONSE AND EXPLANATION OF CHANGE: State statute (section 323.020.2, RSMo) requires the commission to adopt regulations "in substantial conformity" with the published standards of the National Fire Protection Association. Therefore, it is the commission's opinion that any compliance costs incurred with new editions of these standards are already required by state law. The changes in NFPA 58 are available to the public at www.nfpa.org and have two (2) open public comment periods prior to publication. Upon further review, the commission has thoroughly reviewed the changes made in the 2017 edition of NFPA 58 and has determined that additional compliance costs may exist for cathodic protection of buried steel pipe. As a result, the commission is filing a revised fiscal cost as part of its order of rulemaking.

COMMENT #2: The Missouri Propane Gas Association supports the adoption of the latest edition of NFPA 58. In the past, the former Missouri Propane Inspection Authority had been slow to adopt new editions, or skip them completely, which causes confusion with the applicability of the national codes and hinders education on any new developments.

The NFPA code is the product of consensus between experts in all related fields. The National Propane Gas Association is involved in the development of new standards and MPGA staff also sit in on the decision-making which affords the industry both input on content and a timeline for any new changes of merit. We encourage the commission to continue its timely adoption of new editions of national standards which are already mandated by existing state law.

RESPONSE: The commission agrees that under previous oversight, the implementation of national codes was too often delayed which created situations with overlapping requirements. It is the intention of this commission to be proactive in adopting current national standards, as directed by state statute, in order to provide ample time for education and compliance. No changes have been made to the amendment as a result of this comment.

2 CSR 90-10.011 Inspection Authority—Duties

REVISED PUBLIC COST: The cost to the public may range from zero to three thousand dollars (\$0-\$3000) versus the less than five hundred dollars (\$500), which was submitted with the original proposal.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 2 Department of Agriculture**
Division Title: 90
Chapter Title: 10

Rule Number and Title:	2 CSR 90-10.011 (3) Inspection Authority - Duties
Type of Rulemaking:	Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Less than 30	Propane consumers	\$3000

III. WORKSHEET

$$\text{\$100} \times 30 = \text{\$3000}$$

IV. ASSUMPTIONS

Adopting NFPA 58 6.11.3.14 (C). The rule is revised to require cathodic protection on smaller sizes of steel piping when installed underground. This pertains only to new installations. The cost to add the cathodic protection is estimated to be \$100 per installation. Currently, most installations use copper tubing or plastic pipe on underground installations, as it is less expensive and more durable. We estimate that there would be fewer than 30 new installations using steel pipe underground.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.012 Registration—Training is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 940). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received two (2) comments on the proposed amendment.

COMMENT # 1: Robbie Roberts, Bolivar, commented that the wording appears to create a new approval process for trainers which would increase costs.

RESPONSE: The previous rule required instruction by a “competent” trainer which was not defined. The proposed rule recognizes the existing approval procedure while making other small changes to wording that do not substantially change the training requirement. No changes have been made to the amendment as a result of this comment.

COMMENT #2: Missouri Propane Gas Association supports the inclusion of the term “converting” to the other types of activities which require basic propane training. While this activity may have been inferred from the current language covering “installing” and “repairing,” this is a necessary clarification that covers an important aspect of propane safety.

MPGA also supports the clarification of the instructor and curriculum approval process. We ask the commission to remain diligent in ensuring that any curriculum approved under the auspices of this rule is provided in an appropriate manner. The commission has long held that approved instruction must be led by a knowledgeable trainer. Our understanding of the intent of this proposed rule is to continue that process. Electronic digital, online, e-learning, other undirected self-study or similar means, may only supplement, but not replace the core learning required by the program.

RESPONSE: No changes have been made to the amendment as a result of this comment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.013 Installation Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 940). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received one (1) comment.

COMMENT: The Missouri Propane Gas Association supports the elimination of the required leak-check documentation.

RESPONSE: No changes have been made to the amendment as a result of this comment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.020 NFPA Manual No. 54, National Fuel Gas Code is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 940-941). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received two (2) comments on the proposed amendment.

COMMENT #1: Robbie Roberts, Bolivar, opposes the proposed prohibition on converting appliances from one (1) fuel source to another if such conversion is prohibited by the manufacturer.

RESPONSE: Hundreds of gas appliances are manufactured in such a way as to allow conversion from one (1) fuel source to another. In some cases, however, manufacturers specifically prohibit the practice. The 2015 edition of NFPA 54, which is the current state standard, addresses this issue:

9.1.3 *Type of Gas(es)* “The appliance shall be connected to the fuel gas for which it was designed. No attempt shall be made to convert the appliance from the gas specified on the rating plate for use with a different gas without consulting the installation instructions, the serving gas supplier, or the appliance manufacturer for complete instructions.”

The commission has learned that the “serving gas supplier” language has sometimes been used by a fuel provider to ignore the manufacturer’s instructions and improperly convert a gas appliance from one (1) fuel source to another. This proposed rule clarifies the existing state standard that prohibits such conversion. No changes have been made to this amendment as a result of this comment.

COMMENT #2: The Missouri Propane Gas Association supports this additional clarification of 2015 NFPA 54 Section 9.1.3. Eliminating the misinterpretation of this part of the national code is a necessary safeguard for public safety.

Clearly, fuel suppliers who modify gas appliances despite manufacturer warnings are transferring liability from the appliance manufacturer directly to the customer, often without the customer’s knowledge or consent. The action may invalidate warranties, can compromise performance and safety, and can cause confusion and the potential for tragedy if those appliances re-enter the market still bearing the ratings plate of the initial fuel. There is no good reason to allow the improper conversion of gas appliances which have been prohibited by the manufacturer merely as a convenience to a fuel supplier.

RESPONSE: No changes have been made to this amendment as a result of this comment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission amends a rule as follows:

2 CSR 90-10.040 NFPA Manual No. 58, *Storage and Handling of Liquefied Petroleum Gases* is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 941). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received one (1) comment on the proposed amendment change.

COMMENT: Missouri Propane Gas Association's understanding is that this proposed amendment more appropriately assigns the training responsibility regarding the operating of dispensing equipment. The operator of the equipment, which employs the personnel to operate it, should have primary responsibility for their training. We do believe that the entity installing the equipment also retains some responsibility to initially train the operator before the equipment is placed into service. We suggest that the commission monitor such training to determine if the need exists to promulgate a rule to require such.

RESPONSE: No changes have been made to this amendment as a result of this comment, and the commission will continue to ensure anyone operating a propane dispenser has training that meets current rules.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Propane Safety Commission under section 323.020, RSMo 2016, the commission rescinds a rule as follows:

2 CSR 90-10.090 NFPA Manual No. 1192, Chapter 5, *Standard on Recreational Vehicles* is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2016 (41 MoReg 941). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received one (1) comment on the proposed rescission change.

COMMENT: The Missouri Propane Gas Association supports the rescission of this rule.

RESPONSE: No changes have been made to this rescission as a result of this comment.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Developmental Disabilities
Chapter 3—Services and Supports**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under section 630.050, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 45-3.030 Individual Rights is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1065–1066). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Developmental Disabilities
Chapter 3—Services and Supports**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under section 630.050, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 45-3.040 Rights of Designated Representatives, Parents, and Guardians is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1066–1067). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Developmental Disabilities
Chapter 3—Services and Supports**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under sections 630.050 and 633.220, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 45-3.060 Services for Individuals with Autism Spectrum Disorder is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1067–1069). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 60—Research
Chapter 1—Rules for Conducting Research
and Program Evaluation

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under sections 630.192, 630.193 to 630.198, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 60-1.010 Application for Client Research is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1069). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 60—Research
Chapter 1—Rules for Conducting Research
and Program Evaluation

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under section 630.194, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 60-1.015 Review of Research in Progress is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1069–1070). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 8—Accounting Records and Procedures; Audits

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-8.140 Application and Verification Procedures for Granting Credit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1078). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on October 4, 2016. No one attended the public hearing and no written comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-9.108 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1078). Changes have been made to the text of the proposed revision of the *Minimum Internal Control Standards* (MICS) as incorporated by reference in Chapter H, and those changes are explained below. Changes have been made to the text of the proposed amendment, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on October 4, 2016. No one attended the public hearing. Three (3) written comments were received.

COMMENT #1: H § 3.14—Mike Winter with the Missouri Gaming Association stated, “This change would significantly impact guest service. By limiting a property’s ability to allow front line cashiers the ability to create a paid-in / paid-out a property will not be able to pay out guest disputes from the front line window. This will add significant time into the process and increase guest frustration.”

RESPONSE: No change was made to the standard. The standard already allows for the creation of a paid-out by the cashier for redemption kiosk disputes. Allowing a cashier to create documentation that enables the window to balance introduces risk into this process. Therefore, the reasons for creating this documentation needs to be limited. Each casino has the option of having a floating employee window accessible to the floor, if the main bank is not accessible to handle these types of transactions that do not result in an even exchange or the exchange of documentation created by an independent source.

COMMENT #2: H § 7.02—Jamie Doss with Isle of Capri Boonville stated, “We recommend that if a BV can is removed/added from a redemption kiosk that it not trigger the requirement to be counted down and reconciled within twenty-four (24) hours. The BV cans fill up quickly on the weekends with currency and e-tickets. There is minimal risk by removing the BV can when the currency cassettes remain untouched. Anytime a currency cassette is removed or added, the kiosk will be counted down and reconciled within twenty-four (24) hours as required.”

RESPONSE AND EXPLANATION OF CHANGE: Staff agreed with this recommendation. MICS Chapter H § 7.02 was revised to read— “If at any time, additional currency is added to or any currency is removed from the redemption kiosk’s cassettes or a cassette is replaced, the kiosk shall be counted down and reconciled within twenty-four (24) hours.”

COMMENT #3: H § 8.04—Mike Winter with the Missouri Gaming Association stated “This will impact a property’s ability to service guests in a timely manner. As an example, in the event of a cashier running out of a specific currency due to a large payout, cashiers can complete a funds transfer to replenish the bank until a transfer from main bank is completed. The risk associated with this process is mitigated since a transfer sheet is utilized and a paper trail is created.”

RESPONSE AND EXPLANATION OF CHANGE: MICS Chapter H § 8.04 was revised to read—“Exchanges shall not be conducted between cage frontline windows, except for even exchanges of currency.”

11 CSR 45-9.108 Minimum Internal Control Standards (MICS)—Chapter H

(1) The commission shall adopt and publish minimum standards for internal control procedures that, in the commission's opinion, satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter H—Casino Cashiering and Credit, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter H does not incorporate any subsequent amendments or additions as adopted by the commission on October 26, 2016.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 13—Hearings

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-13.051 Bingo Hearings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 946). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing. No written comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission adopts a rule as follows:

11 CSR 45-30.056 Key Person Defined is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2016 (41 MoReg 946-947). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rule on September 13, 2016. No comments were made at the public hearing and one (1) written comment was received.

COMMENT #1: Mary Magnuson, from the National Association of Fundraising Ticket Manufacturers, submitted concerns regarding the use of the phrase "involvement in the entity would tend to discredit charitable bingo" as a criteria for denying a license. She wrote, "the proposed rule contains a vague and subjective standard that is susceptible to arbitrary and discriminatory application." In addition she was concerned that the proposed rule provides no guidance so that manufacturers and suppliers of bingo equipment may "determine the type of conduct that will affect their licensure."

RESPONSE: This language is consistent with the statutory requirements that a license be issued to a person the commission determines is "suitable." The phrase "tend to discredit charitable bingo operations" is also used in section 313.052, RSMo, regarding grounds for disciplinary action against licensees, including revocation. The proposal of this rule is intended to define key person as it relates to the licensing and conduct of bingo and not to alter any licensing standards that the commission has historically employed. No changes have been made as a result of this comment.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-30.175 Organization (Operator) Record Keeping Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 947). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing and no written comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-30.280 Net Receipts from Bingo and Bank Account is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 947-948). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing. No written comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-30.540 Approval of Bingo Paraphernalia is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 948-949). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-30.600 Electronic Bingo Card Monitoring Devices is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 949). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2016, the commission amends a rule as follows:

11 CSR 45-30.610 Wireless Technology is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2016 (41 MoReg 949). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on September 13, 2016. No one attended the public hearing. No written comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees'
Retirement System (LAGERS)
Chapter 4—Actuarial Assumptions**

ORDER OF RULEMAKING

By the authority vested in the Board of Trustees of the Missouri

Local Government Employees' Retirement System under section 70.605.14, RSMo 2016, the board amends a rule as follows:

16 CSR 20-4.010 Actuarial Assumptions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1078-1084). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under sections 41.950 and 340.210, RSMo 2016, the board adopts a rule as follows:

**20 CSR 2270-1.051 Renewal of License or Registration for
Military Members is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2016 (41 MoReg 1182-1184). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under sections 324.007 and 340.210, RSMo 2016, the board adopts a rule as follows:

**20 CSR 2270-2.080 Military Training to Meet Requirements for
Licensure is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2016 (41 MoReg 1185-1187). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 3—Registration Requirements for Veterinary
Technicians**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under sections 324.007 and 340.210, RSMo 2016, the board adopts a rule as follows:

**20 CSR 2270-3.045 Military Training to Meet Requirements for
Registration is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2016 (41 MoReg 1188–1190). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

*[Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 30—Land Survey]
Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer Protection*

IN ADDITION

Pursuant to HB28 the Land Survey Program was transferred from Department of Natural Resources to Department of Agriculture. Effective August 28, 2013, the following rules are transferred to the Department of Agriculture.

[Chapter 5] Chapter 63—Standards for Surveyor’s Real Property Report

[10 CSR 30-5.011] 2 CSR 90-63.010 Surveyor’s Real Property Report

[10 CSR 30-5.020] 2 CSR 90-63.020 Required Work Order Form

[Chapter 6] Chapter 64—Mapping Survey Standards

[10 CSR 30-6.010] 2 CSR 90-64.010 Definitions

[10 CSR 30-6.020] 2 CSR 90-64.020 Map Accuracy Standards

[10 CSR 30-6.030] 2 CSR 90-64.030 Certification of the Map

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

"NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY"

TO ALL CREDITORS AND CLAIMANTS AGAINST Yake Enterprises, LLC, a Missouri liability company (the "Company"):

You are hereby notified that dissolution of the Company was authorized by the member on October 20, 2016. All persons having claims against the Company must present their claims in writing and mail their claims to:

Robert J. Helm
2305 S. Blackman Rd., Suite D
Springfield, MO 65809

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice. In order to file a claim with the Company, you must furnish the following: (a) the name, address and telephone number of the claimant; (b) the amount claimed; (c) a description of the nature of the debt or the basis of the claim; (d) the date or dates the claim accrued; and (e) if the claim is founded on a writing, a copy of the writing."

NOTICE OF DISSOLUTION OF PROFESSIONAL CORPORATION TO ALL CREDITORS OF AND CLAIMANTS AGAINST WITTNER, SPEWAK & MAYLACK, PC

On November 18, 2016, Wittner, Spewak & Maylack, PC, a Missouri corporation ("Company"), filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to Company, c/o David S. Spewak, Esq., 231 S. Bemiston, Suite 1020, Clayton, Missouri 63105, a written summary of any claims against Company, including the name, address, and telephone number of the claimant; the amount of the claim; the date on which the claim arose; and documentation for the claim. All claims against Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**Notice of Winding Up of Limited Liability Company
to All Creditors of and All Claimants Against
Fusion Support Services, LLC**

On November 17, 2016, Fusion Support Services, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company must be sent to: Thompson Coburn LLP, One US Bank Plaza, St. Louis, Missouri 63101, Attention: Michele C. Kloeppel, 34th Floor. Each claim must include the name, address and phone number of the claimant; the amount and nature of the claim; the date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of publication of this notice.

Notice of Winding Up to All Creditors of and Claimants Against Arch Solutions Agency LLC

Arch Solutions Agency LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up with the Missouri Secretary of State Office, Corporations Division on November 14, 2016. Pursuant to Section 347.141 of the Missouri Limited Liability Company Act, persons with claims against the Company should present them in accordance with such Notice of Winding Up. In order to file a claim with the Company, you must first furnish the (i) name and address of claimant; (ii) amount of the claim; (iii) date in which the claim arose; (iv) basis for the claim; and (v) documentation of the claim. Claims must be mailed to Clifford R. Jenks, 16600 Swingley Ridge Road, Chesterfield, Missouri 63017-1706. All claims against the Company will be barred unless proceedings to enforce the claim are commenced within three years after the publication of the notices authorized by statute, whichever is published last.

**Notice of Winding Up of Limited Liability Company To All Creditors of and Claimants Against
MMZ Properties, LLC**

On November 10, 2016, MMZ Properties, LLC, a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

All persons with claims against the limited liability company may submit any claim in accordance with this notice to: Conner Ash P.C., 12101 Woodcrest Executive Dr., Suite 300, Saint. Louis, MO 63141, Attention: John Martens. All claims must include the name and address and telephone number of the claimant; the amount claimed; the basis for the claim; the documentation of the claim; and the date(s) of the event(s) on which the claim is based occurred.

All claims against the limited liability company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY
COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
3645 BOTANICAL AVENUE, LLC**

On November 16, 2016, 3645 Botanical Avenue, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up and Dissolution of the Company with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against the Company present them immediately by letter to Mr. Joel Volotzky, 30 Ladue Meadows, St. Louis, MO 63141. All claims must include the name and address of the claimant, the amount claimed, the basis for and a description of the claim, and include copies of any supporting documentation. Any and all claims against the Company will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED PARTNERSHIP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
MASON MINIWAREHOUSES, L.P.**

On December 31, 2016, Mason Miniwarehouses, L.P., a Missouri limited partnership (the "Partnership"), will by the terms of its Certificate of Limited Partnership, as amended, dissolve and thereupon wind up its business.

Any claims against the Partnership should be directed to: Thomas E. Manns, 7777 Bonhomme Avenue, Suite 1300, St. Louis, Missouri 63105. Each claim must include the following information: (1) name, address and telephone number of the claimant; (2) date on which the claim arose; (3) basis for the claim; and (4) documentation in support of the claim.

All claims against the Partnership will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**Notice of Winding Up of Limited Liability Company
to All Creditors of and All Claimants Against
Two Schmidt Investments, LLC**

On November 23, 2016, Two Schmidt Investments, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company must be sent to: Steven J. Tuchschiidt, 2700 South Winding Trail Drive, Columbia, MO 65201-3111. Each claim must include the name, address and phone number of the claimant; the amount and nature of the claim; the date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION TO ALL
CREDITORS OF AND CLAIMANTS AGAINST
MONTGOMERY-LUNSFORD PROPERTIES, INC.
A MISSOURI CORPORATION**

On the 29th day of November, 2016, Montgomery-Lunsford Properties, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on November 29, 2016.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at: Montgomery-Lunsford Properties, Inc., c/o James F. Waltz, Attorney at Law, 1838 Broadway, Cape Girardeau, MO 63701.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the dissolution of Montgomery-Lunsford Properties, Inc., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—41 (2016) and 42 (2017). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				41 MoReg 1477
1 CSR 10-12.011	Commissioner of Administration		41 MoReg 1526		
1 CSR 15-3.200	Administrative Hearing Commission		41 MoReg 1529		
1 CSR 15-3.210	Administrative Hearing Commission		41 MoReg 1529		
1 CSR 15-3.250	Administrative Hearing Commission		41 MoReg 1529		
1 CSR 15-3.270	Administrative Hearing Commission		41 MoReg 1530		
1 CSR 15-3.290	Administrative Hearing Commission		41 MoReg 1530		
1 CSR 15-3.320	Administrative Hearing Commission		41 MoReg 1533		
1 CSR 15-3.350	Administrative Hearing Commission		41 MoReg 1533		
1 CSR 15-3.380	Administrative Hearing Commission		41 MoReg 1534		
1 CSR 15-3.390	Administrative Hearing Commission		41 MoReg 1535		
1 CSR 15-3.410	Administrative Hearing Commission		41 MoReg 1535		
1 CSR 15-3.420	Administrative Hearing Commission		41 MoReg 1535		
1 CSR 15-3.425	Administrative Hearing Commission		41 MoReg 1536		
1 CSR 15-3.431	Administrative Hearing Commission		41 MoReg 1536		
1 CSR 15-3.446	Administrative Hearing Commission		41 MoReg 1537		
1 CSR 15-3.560	Administrative Hearing Commission		41 MoReg 1537		
1 CSR 15-3.580	Administrative Hearing Commission		41 MoReg 1538		
1 CSR 20-5.015	Personnel Advisory Board and Division of Personnel		41 MoReg 1538		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		41 MoReg 1539		
DEPARTMENT OF AGRICULTURE					
2 CSR 90-1.010	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-10.001	Weights and Measures		41 MoReg 939	This Issue	
2 CSR 90-10.011	Weights and Measures		41 MoReg 939	This Issue	
2 CSR 90-10.012	Weights and Measures		41 MoReg 940	This Issue	
2 CSR 90-10.013	Weights and Measures		41 MoReg 940	This Issue	
2 CSR 90-10.020	Weights and Measures		41 MoReg 940	This Issue	
2 CSR 90-10.040	Weights and Measures		41 MoReg 941	This Issue	
2 CSR 90-10.090	Weights and Measures		41 MoReg 941R	This IssueR	
2 CSR 90-30.040	Weights and Measures	41 MoReg 1029	41 MoReg 1031	41 MoReg 1915	
2 CSR 90-60.010	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.020	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.030	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.040	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.050	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.060	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-60.070	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-61.010	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.010)		This Issue		
2 CSR 90-61.020	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.020)		This Issue		
2 CSR 90-61.040	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.040)		This Issue		
2 CSR 90-61.050	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.050)		This Issue		
2 CSR 90-61.070	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.070)		This Issue		
2 CSR 90-61.080	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.080)		This Issue		
2 CSR 90-62.010	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.010)		This Issue		
2 CSR 90-62.020	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.020)		This Issue		
2 CSR 90-62.030	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.030)		This Issue		
2 CSR 90-62.040	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.040)		This Issue		
2 CSR 90-62.050	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.050)		This Issue		
2 CSR 90-62.060	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.060)		This Issue		
2 CSR 90-63.010	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-5.011)				This Issue
2 CSR 90-63.020	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-5.020)				This Issue
2 CSR 90-64.010	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-6.010)				This Issue
2 CSR 90-64.020	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-6.020)				This Issue
2 CSR 90-64.030	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-6.030)				This Issue
2 CSR 90-65.010	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.020	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.030	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.040	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.050	Weights, Measures and Consumer Protection		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
2 CSR 90-65.060	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.070	Weights, Measures and Consumer Protection		This Issue		
2 CSR 90-65.080	Weights, Measures and Consumer Protection		This Issue		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		41 MoReg 1300		
3 CSR 10-5.210	Conservation Commission		41 MoReg 1300		
3 CSR 10-6.505	Conservation Commission		41 MoReg 1303		
3 CSR 10-6.530	Conservation Commission		41 MoReg 1303		
3 CSR 10-9.110	Conservation Commission		41 MoReg 1304		
3 CSR 10-9.440	Conservation Commission		41 MoReg 1305		
3 CSR 10-10.727	Conservation Commission		41 MoReg 1305		
3 CSR 10-11.115	Conservation Commission		41 MoReg 1306		
3 CSR 10-11.185	Conservation Commission		41 MoReg 1306		
3 CSR 10-11.205	Conservation Commission		41 MoReg 1306		
3 CSR 10-11.215	Conservation Commission		41 MoReg 1307		
3 CSR 10-12.110	Conservation Commission		41 MoReg 1307		
3 CSR 10-12.115	Conservation Commission		41 MoReg 1307		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-2.135	Public Service Commission		This Issue		
4 CSR 240-4.015	Public Service Commission		This Issue		
4 CSR 240-4.017	Public Service Commission		This Issue		
4 CSR 240-4.020	Public Service Commission		This IssueR		
4 CSR 240-4.030	Public Service Commission		This Issue		
4 CSR 240-4.040	Public Service Commission		This Issue		
4 CSR 240-4.050	Public Service Commission		This Issue		
4 CSR 240-40.020	Public Service Commission		41 MoReg 1896		
4 CSR 240-40.030	Public Service Commission		41 MoReg 1898		
4 CSR 240-40.080	Public Service Commission		41 MoReg 1907		
4 CSR 265-2.020	Division of Motor Carrier and Railroad Safety		41 MoReg 1660R		
4 CSR 265-2.030	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.017)		41 MoReg 1660		
4 CSR 265-2.040	Division of Motor Carrier and Railroad Safety		41 MoReg 1661R		
4 CSR 265-2.050	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.051)		41 MoReg 1662		
4 CSR 265-2.055	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.052)		41 MoReg 1662		
4 CSR 265-2.057	Division of Motor Carrier and Railroad Safety		41 MoReg 1663R		
4 CSR 265-2.065	Division of Motor Carrier and Railroad Safety		41 MoReg 1663R		
4 CSR 265-2.067	Division of Motor Carrier and Railroad Safety		41 MoReg 1664R		
4 CSR 265-2.069	Division of Motor Carrier and Railroad Safety		41 MoReg 1664R		
4 CSR 265-2.160	Division of Motor Carrier and Railroad Safety		41 MoReg 1664R		
4 CSR 265-2.170	Division of Motor Carrier and Railroad Safety		41 MoReg 1665R		
4 CSR 265-2.200	Division of Motor Carrier and Railroad Safety		41 MoReg 1665R		
4 CSR 265-6.030	Division of Motor Carrier and Railroad Safety		41 MoReg 1665R		
4 CSR 265-14.010	Division of Motor Carrier and Railroad Safety		41 MoReg 1665R		
4 CSR 340-2	Division of Energy				41 MoReg 1440
4 CSR 340-4.010	Division of Energy	41 MoReg 1895	41 MoReg 1907		
4 CSR 340-6.010	Division of Energy		41 MoReg 1908		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-200.110	Division of Learning Services		41 MoReg 832R	41 MoReg 1855R	
5 CSR 20-200.120	Division of Learning Services		41 MoReg 833R	41 MoReg 1855R	
5 CSR 20-200.130	Division of Learning Services		41 MoReg 833R	41 MoReg 1855R	
5 CSR 20-200.140	Division of Learning Services		41 MoReg 833R	41 MoReg 1855R	
5 CSR 20-200.150	Division of Learning Services		41 MoReg 833R	41 MoReg 1856R	
5 CSR 20-200.220	Division of Learning Services		41 MoReg 834R	41 MoReg 1856R	
5 CSR 20-200.270	Division of Learning Services		41 MoReg 834R	41 MoReg 1856R	
5 CSR 20-400.380	Division of Learning Services		41 MoReg 941	41 MoReg 1725W	
5 CSR 20-400.385	Division of Learning Services		41 MoReg 1797		
5 CSR 20-400.640	Division of Learning Services		41 MoReg 1802		
5 CSR 30-261.025	Division of Financial and Administrative Services		41 MoReg 1540		
			41 MoReg 1909		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.190	Commissioner of Higher Education		41 MoReg 1465		
6 CSR 10-11.010	Commissioner of Higher Education (Changed to 20 CSR 2200-7.010)		This Issue		
6 CSR 10-13.010	Commissioner of Higher Education		41 MoReg 894	41 MoReg 1856	
DEPARTMENT OF TRANSPORTATION					
7 CSR	Department of Transportation				41 MoReg 845
7 CSR 10-1.010	Missouri Highways and Transportation Commission		41 MoReg 1131		
7 CSR 10-1.020	Missouri Highways and Transportation Commission		41 MoReg 1666		
7 CSR 10-2.030	Missouri Highways and Transportation Commission		41 MoReg 1666R		
7 CSR 10-25.010	Missouri Highways and Transportation Commission		41 MoReg 1666		41 MoReg 1726 41 MoReg 1727 41 MoReg 1727 41 MoReg 1868
7 CSR 10-25.020	Missouri Highways and Transportation Commission		41 MoReg 1668		
7 CSR 10-25.030	Missouri Highways and Transportation Commission		41 MoReg 1680		
7 CSR 10-25.070	Missouri Highways and Transportation Commission		41 MoReg 1681		
7 CSR 10-25.072	Missouri Highways and Transportation Commission		41 MoReg 1682		
7 CSR 10-25.080	Missouri Highways and Transportation Commission		41 MoReg 1683		
7 CSR 60-1.010	Traffic and Highway Safety Division		41 MoReg 1684		
7 CSR 60-1.020	Traffic and Highway Safety Division		41 MoReg 1685		
7 CSR 60-1.030	Traffic and Highway Safety Division		41 MoReg 1686		
7 CSR 60-1.050	Traffic and Highway Safety Division		41 MoReg 1687		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 60-1.060	Traffic and Highway Safety Division		41 MoReg 1687		
7 CSR 60-2.010	Traffic and Highway Safety Division		41 MoReg 1688		
7 CSR 60-2.020	Traffic and Highway Safety Division		41 MoReg 1689		
7 CSR 60-2.030	Traffic and Highway Safety Division		41 MoReg 1690		
7 CSR 60-2.040	Traffic and Highway Safety Division		41 MoReg 1695		
7 CSR 60-2.050	Traffic and Highway Safety Division		41 MoReg 1699		
7 CSR 60-2.060	Traffic and Highway Safety Division		41 MoReg 1699		
7 CSR 60-3.010	Traffic and Highway Safety Division (<i>Changed from 11 CSR 30-3.010</i>)		41 MoReg 1721		
7 CSR 265-10.015	Motor Carrier and Railroad Safety		41 MoReg 1700		
7 CSR 265-10.017	Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-2.030</i>)		41 MoReg 1660		
7 CSR 265-10.025	Motor Carrier and Railroad Safety		41 MoReg 1701		
7 CSR 265-10.051	Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-2.050</i>)		41 MoReg 1662		
7 CSR 265-10.052	Motor Carrier and Railroad Safety (<i>Changed from 4 CSR 265-2.055</i>)		41 MoReg 1662		
7 CSR 265-10.055	Motor Carrier and Railroad Safety		41 MoReg 1701R		
7 CSR 265-10.090	Motor Carrier and Railroad Safety		41 MoReg 1702R		
7 CSR 265-10.140	Motor Carrier and Railroad Safety		41 MoReg 1702		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR	Department of Labor and Industrial Relations				41 MoReg 845
DEPARTMENT OF MENTAL HEALTH					
9 CSR	Department of Mental Health				41 MoReg 845
9 CSR 10-31.016	Director, Department of Mental Health		41 MoReg 1909		
9 CSR 10-31.030	Director, Department of Mental Health		41 MoReg 1910		
9 CSR 45-3.030	Division of Developmental Disabilities		41 MoReg 1065	This Issue	
9 CSR 45-3.040	Division of Developmental Disabilities		41 MoReg 1066	This Issue	
9 CSR 45-3.060	Division of Developmental Disabilities		41 MoReg 1067	This Issue	
9 CSR 60-1.010	Research		41 MoReg 1069	This Issue	
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10 CSR	Department of Natural Resources				41 MoReg 845
10 CSR 10-6.070	Air Conservation Commission		41 MoReg 1703		
10 CSR 10-6.075	Air Conservation Commission		41 MoReg 1709		
10 CSR 10-6.080	Air Conservation Commission		41 MoReg 1719		
10 CSR 10-6.210	Air Conservation Commission		41 MoReg 742	41 MoReg 1628	
10 CSR 10-6.220	Air Conservation Commission		41 MoReg 555	41 MoReg 1628	
10 CSR 10-6.250	Air Conservation Commission		40 MoReg 1023	41 MoReg 37	
10 CSR 20-8.500	Clean Water Commission		41 MoReg 1070		
10 CSR 26-2.010	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1133		
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10 CSR 26-2.012	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1135		
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10 CSR 26-2.021	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1150		
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10 CSR 26-2.045	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1172		
10 CSR 26-2.046	Petroleum and Hazardous Substance Storage Tanks (<i>Changed to 10 CSR 26-2.048</i>)		41 MoReg 1172 41 MoReg 1308		

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10 CSR 26-2.048	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 26-2.045</i>)		41 MoReg 1172		
10 CSR 26-2.050	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1174		
10 CSR 26-2.052	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1174		
10 CSR 30-3.010	Land Survey (<i>Changed to 2 CSR 90-61.010</i>)		This Issue		
10 CSR 30-3.020	Land Survey (<i>Changed to 2 CSR 90-61.020</i>)		This Issue		
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10 CSR 30-3.040	Land Survey (<i>Changed to 2 CSR 90-61.040</i>)		This Issue		
10 CSR 30-3.050	Land Survey (<i>Changed to 2 CSR 90-61.050</i>)		This Issue		
10 CSR 30-3.060	Land Survey		This IssueR		
10 CSR 30-3.070	Land Survey (<i>Changed to 2 CSR 90-61.070</i>)		This Issue		
10 CSR 30-3.080	Land Survey (<i>Changed to 2 CSR 90-61.080</i>)		This Issue		
10 CSR 30-4.010	Land Survey (<i>Changed to 2 CSR 90-62.010</i>)		This Issue		
10 CSR 30-4.020	Land Survey (<i>Changed to 2 CSR 90-62.020</i>)		This Issue		
10 CSR 30-4.030	Land Survey (<i>Changed to 2 CSR 90-62.030</i>)		This Issue		
10 CSR 30-4.040	Land Survey (<i>Changed to 2 CSR 90-62.040</i>)		This Issue		
10 CSR 30-4.050	Land Survey (<i>Changed to 2 CSR 90-62.050</i>)		This Issue		
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10 CSR 30-6.010	Land Survey (<i>Changed to 2 CSR 90-64.010</i>)				This Issue
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11 CSR 45-3.010	Missouri Gaming Commission	41 MoReg 1262	41 MoReg 1310		
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11 CSR 45-5.183	Missouri Gaming Commission		41 MoReg 1804		
11 CSR 45-5.184	Missouri Gaming Commission		41 MoReg 1804		
11 CSR 45-8.140	Missouri Gaming Commission	41 MoReg 1053	41 MoReg 1078	This Issue	
11 CSR 45-9.104	Missouri Gaming Commission		41 MoReg 1804		
11 CSR 45-9.108	Missouri Gaming Commission	41 MoReg 1054	41 MoReg 1078	This Issue	
11 CSR 45-9.113	Missouri Gaming Commission		41 MoReg 834	41 MoReg 1856	
11 CSR 45-9.120	Missouri Gaming Commission		41 MoReg 1544		
11 CSR 45-12.090	Missouri Gaming Commission		41 MoReg 1310		
11 CSR 45-13.051	Missouri Gaming Commission		41 MoReg 946	This Issue	
11 CSR 45-13.054	Missouri Gaming Commission	41 MoReg 1262	41 MoReg 1311		
11 CSR 45-13.055	Missouri Gaming Commission	41 MoReg 1263	41 MoReg 1312		
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11 CSR 45-40.010	Missouri Gaming Commission	41 MoReg 1267	41 MoReg 1313		
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11 CSR 45-40.030	Missouri Gaming Commission	41 MoReg 1269	41 MoReg 1315		
11 CSR 45-40.040	Missouri Gaming Commission	41 MoReg 1270	41 MoReg 1316		
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13 CSR 40-1.010	Family Support Division		41 MoReg 1545		
13 CSR 40-2.250	Family Support Division		41 MoReg 1335R		
13 CSR 40-15.455	Family Support Division		41 MoReg 1546		
13 CSR 40-19.010	Family Support Division		41 MoReg 1551R		
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13 CSR 40-19.030	Family Support Division		41 MoReg 1555R		
13 CSR 65-3.050	Missouri Medicaid Audit and Compliance Unit		41 MoReg 1556		
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13 CSR 70-3.240	MO HealthNet Division		41 MoReg 1558		
13 CSR 70-3.260	MO HealthNet Division		41 MoReg 949	41 MoReg 1916	
13 CSR 70-4.090	MO HealthNet Division		41 MoReg 1468		
13 CSR 70-10.016	MO HealthNet Division	41 MoReg 1054			
13 CSR 70-10.030	MO HealthNet Division	41 MoReg 1127	41 MoReg 1175		
13 CSR 70-15.010	MO HealthNet Division	41 MoReg 935	41 MoReg 955	41 MoReg 1856	
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19 CSR 20-20.020	Division of Community and Public Health	41 MoReg 1279	41 MoReg 1343		
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20 CSR 700-1.170	Insurance Licensing	41 MoReg 1280	41 MoReg 1343		
20 CSR 2030-16.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-16.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR		
20 CSR 2030-16.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-16.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR		
20 CSR 2030-16.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-16.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR		
20 CSR 2030-16.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR		
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20 CSR 2030-16.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR This Issue		
20 CSR 2030-17.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-17.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-17.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This IssueR		
20 CSR 2030-17.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-17.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
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20 CSR 2030-17.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-17.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-18.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-18.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-18.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-18.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-18.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
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20 CSR 2030-19.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		41 MoReg 1808		
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20 CSR 2030-20.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		41 MoReg 1808		
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20 CSR 2085-3.010	Board of Cosmetology and Barber Examiners		41 MoReg 1722		
20 CSR 2095-1.020	Committee for Professional Counselors		41 MoReg 1351		
20 CSR 2110-2.010	Missouri Dental Board		41 MoReg 1351		
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20 CSR 2110-2.210	Missouri Dental Board		41 MoReg 1084	41 MoReg 1918	
20 CSR 2115-2.060	State Committee of Dietitians		41 MoReg 1085	41 MoReg 1918	
20 CSR 2115-2.061	State Committee of Dietitians		41 MoReg 1085	41 MoReg 1918	
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20 CSR 2150-2.045	State Board of Registration for the Healing Arts		41 MoReg 964	41 MoReg 1858	
20 CSR 2150-2.080	State Board of Registration for the Healing Arts		41 MoReg 967R 41 MoReg 967 41 MoReg 1351R 41 MoReg 1352	41 MoReg 1858W 41 MoReg 1858W	
20 CSR 2150-2.200	State Board of Registration for the Healing Arts		41 MoReg 971	41 MoReg 1859	
20 CSR 2150-2.210	State Board of Registration for the Healing Arts		41 MoReg 976	41 MoReg 1860	
20 CSR 2150-2.220	State Board of Registration for the Healing Arts		41 MoReg 981	41 MoReg 1865	
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20 CSR 2150-2.250	State Board of Registration for the Healing Arts		41 MoReg 991	41 MoReg 1867	
20 CSR 2150-2.260	State Board of Registration for the Healing Arts		41 MoReg 994	41 MoReg 1867	
20 CSR 2150-3.080	State Board of Registration for the Healing Arts	41 MoReg 1287R 41 MoReg 1287	41 MoReg 1355R 41 MoReg 1355		
20 CSR 2150-3.170	State Board of Registration for the Healing Arts	41 MoReg 1288R 41 MoReg 1289	41 MoReg 1358R 41 MoReg 1358		
20 CSR 2150-4.060	State Board of Registration for the Healing Arts	41 MoReg 1289R 41 MoReg 1290	41 MoReg 1361R 41 MoReg 1361		
20 CSR 2150-6.050	State Board of Registration for the Healing Arts	41 MoReg 1291R 41 MoReg 1291	41 MoReg 1364R 41 MoReg 1364		
20 CSR 2150-7.200	State Board of Registration for the Healing Arts	41 MoReg 1292R 41 MoReg 1292	41 MoReg 1367R 41 MoReg 1367		
20 CSR 2150-8.060	State Board of Registration for the Healing Arts	41 MoReg 1293R 41 MoReg 1294	41 MoReg 1370R 41 MoReg 1370		
20 CSR 2150-9.080	State Board of Registration for the Healing Arts	41 MoReg 1294R 41 MoReg 1295	41 MoReg 1373R 41 MoReg 1373		
20 CSR 2193-2.050	Interior Design Council		41 MoReg 1086	41 MoReg 1918	
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20 CSR 2200-7.010	State Board of Nursing (Changed from 6 CSR 10-II.010)		This Issue		
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20 CSR 2220-2.095	State Board of Pharmacy		41 MoReg 1376		
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20 CSR 2250-3.010	Missouri Real Estate Commission		41 MoReg 1031	41 MoReg 1725	
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Emergency Rule Table

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2 CSR 90-30.040	Requirement Regulations Regarding Quality for Motor Fuels41 MoReg 1029	July 25, 2016 Jan. 20, 2017
Department of Economic Development			
Division of Energy			
4 CSR 340-4.010	Wood Energy Credit . . . . .	.41 MoReg 1895	Nov. 24, 2016 May 22, 2017
Department of Public Safety			
Missouri Gaming Commission			
11 CSR 45-1.100	Waivers and Variances . . . . .	.41 MoReg 1261	Sept. 8, 2016 March 6, 2017
11 CSR 45-3.010	Commission Records . . . . .	.41 MoReg 1262	Sept. 8, 2016 March 6, 2017
11 CSR 45-8.140	Application and Verification Procedures for Granting Credit . . . . .	.41 MoReg 1053	Aug. 28, 2016 Feb 23, 2017
11 CSR 45-9.108	Minimum Internal Control Standards (MICS)—Chapter H . . . . .	.41 MoReg 1054	Aug. 28, 2016 Feb 23, 2017
11 CSR 45-13.054	Fantasy Sports Contest Hearings . . . . .	.41 MoReg 1262	Sept. 8, 2016 March 6, 2017
11 CSR 45-13.055	Emergency Order Suspending License Privileges—Expedited Hearing . . . . .	.41 MoReg 1263	Sept. 8, 2016 March 6, 2017
11 CSR 45-13.065	Settlements . . . . .	.41 MoReg 1264	Sept. 8, 2016 March 6, 2017
11 CSR 45-17.030	Procedure for Entry of Names onto List of Disassociated Persons . . . . .	.41 MoReg 1265	Sept. 8, 2016 March 6, 2017
11 CSR 45-17.040	Confidentiality of List of Disassociated Persons . . . . .	.41 MoReg 1266	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.010	Definitions . . . . .	.41 MoReg 1267	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.020	Waivers and Variances . . . . .	.41 MoReg 1268	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.030	Commission Approval of Procedures . . . . .	.41 MoReg 1269	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.040	Fantasy Sports Contest Operator Responsibilities . . . . .	.41 MoReg 1270	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.050	Operational Requirements for Fantasy Sports Contest Operators . . . . .	.41 MoReg 1271	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.060	Cash Reserve and Segregated Account Requirements . . . . .	.41 MoReg 1273	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.070	Operational Fees . . . . .	.41 MoReg 1274	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.090	Records and Record Retention41 MoReg 1275	Sept. 8, 2016 March 6, 2017
11 CSR 45-40.100	Audits41 MoReg 1276	Sept. 8, 2016 March 6, 2017
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12 CSR 10-41.010	Annual Adjusted Rate of Interest41 MoReg 1755	Jan. 1, 2017 June 29, 2017
Department of Social Services			
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13 CSR 70-10.016	Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates41 MoReg 1054	July 28, 2016 Jan. 23, 2017
13 CSR 70-10.030	Perspective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services41 MoReg 1127	Sept. 1, 2016 Feb. 27, 2017
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15 CSR 30-70.010	Definitions41 MoReg 1463	Sept. 19, 2016 March 17, 2017
15 CSR 30-70.020	Application Assistant Training, Registration and Renewal41 MoReg 1463	Sept. 19, 2016 March 17, 2017
15 CSR 30-70.030	Program Participant Application and Certification Process41 MoReg 1464	Sept. 19, 2016 March 17, 2017
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19 CSR 10-10.130	Missouri Adoptee Rights41 MoReg 1277	Sept. 8, 2016 March 6, 2017
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20 CSR 700-1.170	Licensing Procedures and Standards for Limited Lines Self-Service Storage Insurance Producers41 MoReg 1280	Aug. 28, 2016Feb. 23, 2017
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20 CSR 2070-2.090	Fees41 MoReg 1525	Sept. 26, 2016April 3, 2017
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20 CSR 2150-2.080	Physician Licensure Fees41 MoReg 1286	Sept. 11, 2016March 9, 2017
20 CSR 2150-3.080	Fees (Res)41 MoReg 1287	Sept. 11, 2016March 9, 2017
20 CSR 2150-3.080	Physical Therapists Licensure Fees41 MoReg 1287	Sept. 11, 2016March 9, 2017
20 CSR 2150-3.170	Physical Therapist Assistant Licensure Fees (Res)41 MoReg 1288	Sept. 11, 2016March 9, 2017
20 CSR 2150-3.170	Physical Therapist Assistant Licensure Fees41 MoReg 1289	Sept. 11, 2016March 9, 2017
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20 CSR 2150-4.060	Speech-Language Pathology and Audiology Licensure Fees41 MoReg 1290	Sept. 11, 2016March 9, 2017
20 CSR 2150-6.050	Fees (Res)41 MoReg 1291	Sept. 11, 2016March 9, 2017
20 CSR 2150-6.050	Athletic Trainer Licensure Fees41 MoReg 1291	Sept. 11, 2016March 9, 2017
20 CSR 2150-7.200	Fees (Res)41 MoReg 1292	Sept. 11, 2016March 9, 2017
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20 CSR 2150-8.060	Clinical Perfusionists Licensure Fees (Res)41 MoReg 1294	Sept. 11, 2016March 9, 2017
20 CSR 2150-9.080	Fees (Res)41 MoReg 1294	Sept. 11, 2016March 9, 2017
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20 CSR 2197-1.040	Fees41 MoReg 825	June 12, 2016Feb. 23, 2017
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20 CSR 2220-2.200	Sterile Compounding41 MoReg 1056	Aug. 4, 2016Feb. 23, 2017
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20 CSR 2255-1.040	Fees41 MoReg 547	April 11, 2016Jan. 18, 2017
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22 CSR 10-2.020	General Membership Provisions41 MoReg 1758	Jan. 1, 2017June 29, 2017
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22 CSR 10-2.051	PPO 300 Plan Benefit Provisions and Covered Charges41 MoReg 1760	Jan. 1, 2017June 29, 2017
22 CSR 10-2.052	PPO 600 Plan Benefit Provisions and Covered Charges41 MoReg 1760	Jan. 1, 2017June 29, 2017
22 CSR 10-2.053	Health Savings Account Plan Benefit Provisions and Covered Charges41 MoReg 1761	Jan. 1, 2017June 29, 2017
22 CSR 10-2.055	Medical Plan Benefit Provisions and Covered Charges41 MoReg 1763	Jan. 1, 2017June 29, 2017
22 CSR 10-2.060	PPO 300 Plan, PPO 600 Plan, and Health Savings Account Plan Limitations41 MoReg 1772	Jan. 1, 2017June 29, 2017
22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members41 MoReg 1773	Jan. 1, 2017June 29, 2017
22 CSR 10-2.090	Pharmacy Benefit Summary41 MoReg 1774	Jan. 1, 2017June 29, 2017
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations (Res)41 MoReg 1296	Oct. 1, 2016March 29, 2017
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations41 MoReg 1296	Oct. 1, 2016March 29, 2017
22 CSR 10-2.110	General Foster Parent Membership Provisions41 MoReg 1776	Jan. 1, 2017June 29, 2017
22 CSR 10-2.120	Partnership Incentive Provisions and Limitations (Res)41 MoReg 1297	Oct. 1, 2016March 29, 2017
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22 CSR 10-2.150	Disease Management Services Provisions and Limitations (Res)41 MoReg 1777	Jan. 1, 2017June 29, 2017
22 CSR 10-3.010	Definitions41 MoReg 1778	Jan. 1, 2017June 29, 2017

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22 CSR 10-3.020	General Membership Provisions41 MoReg 1780	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.053	PPO 1000 Plan Benefit Provisions and Covered Charges . .	.41 MoReg 1781	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.055	Health Savings Account Plan Benefit Provisions and Covered Charges . . . . .	.41 MoReg 1781	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.056	PPO 600 Plan Benefit Provisions and Covered Charges . .	.41 MoReg 1782	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.057	Medical Plan Benefit Provisions and Covered Charges . . .	.41 MoReg 1783	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.060	PPO 600 Plan, PPO 1000 Plan, and Health Savings Account Plan Limitations . . . . .	.41 MoReg 1792	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.090	Pharmacy Benefit Summary . . . . .	.41 MoReg 1794	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.150	Disease Management Services Provisions and Limitations (Res)41 MoReg 1796	Jan. 1, 2017	June 29, 2017

**Executive
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	Subject Matter	Filed Date	Publication
	2016		
16-08	Advises that state offices will be closed on Friday, November 25, 2016.	October 24, 2016	41 MoReg 1659
16-07	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated as a result of storms that began on May 25, 2016. This order shall terminate on June 26, 2016, unless extended.	May 27, 2016	41 MoReg 830
16-06	Declares that the next Missouri Poet Laureate will be named in June 2016 and directs that a Missouri Poet Laureate be named biennially to serve for two years at the pleasure of the governor. The order also includes qualifications and responsibilities for the post. Additionally the Missouri Poet Laureate Advisory Committee is hereby established.	May 27, 2016	41 MoReg 828
16-05	Directs the Department of Public Safety, with guidance from the Missouri Veteran's Commission and the Adjutant General of the State of Missouri, to coordinate events with the World War I Centennial Commission that recognize and remember efforts and sacrifices of all Americans during World War I.	May 27, 2016	41 MoReg 826
16-04	Orders all departments, agencies and boards, and commissions, in the Executive Branch subject to the authority of the governor to take all necessary action to amend initial employment applications by removing questions related to an individual's criminal history unless a criminal history would render an applicant ineligible for the position.	April 11, 2016	41 MoReg 658
16-03	Extends Executive Orders 15-10, 15-11, and 16-02 until February 22, 2016, due to severe weather that began on December 22, 2015.	Jan. 22, 2016	41 MoReg 299
16-02	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on December 22, 2015.	Jan. 6, 2016	41 MoReg 235
16-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	Jan. 4, 2016	41 MoReg 153

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